



**3-1**

**COUNTY OF SAN LUIS OBISPO  
DEPARTMENT OF PLANNING AND BUILDING  
STAFF REPORT**

**PLANNING COMMISSION**

*Promoting the wise use of land  
Helping build great communities*

<b>MEETING DATE</b> May 11, 2006	<b>CONTACT/PHONE</b> Brian Pedrotti 788-2788	<b>APPLICANT</b> Nipomo Oaks	<b>FILE NO.</b> TRACT 2732 SUB2004-00324
<b>SUBJECT</b> Request by Nipomo Oaks for a Vesting Tentative Tract Map and Conditional Use Permit to subdivide an existing 3.0 acre parcel into twenty-seven parcels including: twenty-four residential parcels ranging in size from approximately 2,430 to 2,748 square feet each, two parcels for common active recreation area, parking, and drainage, and a 1-acre future development lot (Lot 27). The project includes approval for the construction of 24 single family residences ranging in size from 1,352 to 1,584 square feet. The project includes off-site road improvements to Hill Street and a future local road. The project will result in the disturbance of approximately 2.04 acres of a 3.0 acre parcel. The proposed project is within the Residential Multi-Family land use category and is located on the north side of Hill Street, approximately 900 feet west of South Frontage Road in the community of Nipomo. The site is in the South County (Inland) planning area.			
<b>RECOMMENDED ACTION</b> 1. Adopt the Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. 2. Approve Vesting Tentative Tract 2732 and Conditional Use Permit based on the findings listed in Exhibits A and C, and the conditions listed in Exhibits B and D.			
<b>ENVIRONMENTAL DETERMINATION</b> The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on April 6, 2006 for this project. Mitigation measures are proposed to address air quality, geology and soils, public services/utilities, recreation, transportation/circulation, and water, and are included as conditions of approval.			
<b>LAND USE CATEGORY</b> Residential Multi-Family	<b>COMBINING DESIGNATION</b> None	<b>ASSESSOR PARCEL NUMBER</b> 092-130-019	<b>SUPERVISOR DISTRICT(S)</b> 4
<b>PLANNING AREA STANDARDS:</b> Sec. 22.112.020 – South County Areawide Standards. Circulation, transit-oriented development. Sec. 22.112.080 – Nipomo Urban Area Standards, communitywide. Connection to sewer. Sec. 22.112.080.G – Residential Multi-Family Does the project conform to the Planning Area Standards – Yes, see discussion			
<b>LAND USE ORDINANCE STANDARDS:</b> Ch. 22.10 – Development Standards (Lighting, fencing, screening, density, setbacks) Ch. 22.16 and Ch. 22.18 – Landscaping and Parking Sec. 22.22.080 – Residential Multi-Family Subdivision Design			
<b>EXISTING USES:</b> Residence			
<b>SURROUNDING LAND USE CATEGORIES AND USES:</b> North: Commercial Retail / residence South: Residential Multi-Family / accessory structures East: Commercial Retail / undeveloped West: Residential Multi-Family / undeveloped			
<small>ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING &amp; BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242</small>			

OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Nipomo Community Advisory Group, Public Works, Environmental Health, Ag Commissioner, County Parks, CDF, Nipomo Community Services District, APCD, Cal Trans, RWQCB, Lucia Mar	
TOPOGRAPHY: Nearly level to gently sloping	VEGETATION: Grasses
PROPOSED SERVICES: Water supply: NCSD Sewage Disposal: NCSD Fire Protection: CDF	ACCEPTANCE DATE: November 14, 2005

#### ORDINANCE COMPLIANCE:

##### *Minimum Parcel Size and Development Standards*

Section 22.22.080 of the Land Use Ordinance allows for the Review Authority, through Conditional Use Permit approval, to determine minimum parcel size for a planned development. The density of residential units must be in compliance with Planning Area Standards and Section 22.10.130 for Residential Multi-Family projects. Sections 22.10, 16, and 18 of the Land Use Ordinance establishes Development Standards. The proposed Tract Map and Conditional Use Permit meets all requirements as follows:

<u>Standard</u>	<u>Allowed/Required</u>	<u>Proposed</u>
Minimum Site Area	6,000 square feet	3 acres
Density	2 net acres @ 15 units/acre (30 units)	24 units
Maximum Floor Area	41,818 square feet (48%)	26,016 square feet (29.3%)
Minimum Open Area	39,204 square feet (45%)	42,973 square feet (49%)
Setbacks Front Side Rear	May be set by map with minimum of 10 feet between all structures	Minimum of 10 feet between all structures; Front, Side, Rear - Variable, minimum 5 feet
Height	35 feet	25 feet
Parking	Resident - 48 spaces Guest - 7 spaces	Resident - 48 spaces Guest - 12 spaces

##### *Quimby Fees*

Title 21, the Real Property Division Ordinance, establishes an in-lieu fee for all new land divisions for the purpose of developing new, or rehabilitating existing, park or recreational facilities to serve the land division. Payment of the parkland fee for all undeveloped parcels is required prior to map recordation.

##### *Affordable Housing Fees*

Sections 18.07 et. seq of Title 18 of the County Code establishes a fee of 3.5% of the public facility fee for all new land divisions. This allows recognized affordable housing projects to be exempted from public facility fees.

### *Design Standards*

The proposed parcels are consistent with the design criteria set forth in Chapter 3 of the Title 21 of the Real Property Division Ordinance.

**BACKGROUND:** The project proposes twenty four detached multi-family residences. Staff is satisfied with the current proposal. This project will contain many design features that will enhance the living environment for this project and the neighborhood as well.

The project originally included a total of 42 residential units on the entire 3 acres for a total density of 14 units/acre. Following discussions with staff and incorporating comments from the SCAC meeting, the applicant revised the project to include a reduction in the number of units to 24, increased the size of the active recreation area, and designated an acre of the site as future development. The density proposed is 12 units/acre. The applicant has indicated that this one-acre site is intended for possible commercial or mixed-use development to coincide with the future extension of the local road to the north. If this one-acre site is developed with a mixed-use project in the future, the density of the project could equal or exceed the original proposed density of 14 units/acre.

### **PROJECT DESCRIPTION / SITE DESIGN:**

The proposed project is a multi-family planned development residential project consisting of twenty four detached residences, each with a floor area ranging from 1,352 square feet to 1,524 square feet, excluding garages. Individual units are accessed through a “horse-shoe” type driveway within a commonly-owned parcels access easement. Each 3-bedroom residence will be constructed with a two-car garage for resident parking. Additionally, twelve guest parking spaces will be provided on the commonly-owned parcel.

For residential projects in the Residential Multi-Family land use category, staff has been challenged to work with applicants to attain an appropriate and livable amount of common and private outdoor space for individual units. For this project, common open space is provided through 1) a centrally-located common open area (Lot 26) that includes picnic tables and bbq facilities, 2) an open grass area (Lot 25) at the entrance to the project, and 3) an additional 2,000 square foot pedestrian walkway area to connect residents to the future local road to the north. Drainage will be provided through the use of underground drainage basins under the common areas on Lots 25 and 26. Private, 15-foot by 15-foot backyards as well as ground-floor porches and decks will also be provided for each unit, which meets the private open space requirement of the Planning Area Standards.

The architecture of individual structures is designed with Craftsman style elements. Exterior wall material is stucco, with wood fascia and stone veneer. Roofing material is asphalt shingle. Eaves at garage doors will have exposed rafter tails.

### **PLANNING AREA STANDARDS:**

#### Section 22.12.020 Areawide Standards

22.12.020.A.2 – Groundwater recharge areas. New development shall incorporate natural drainage systems to aid groundwater recharge.

#### 22.12.020.C – Circulation Planning:

1. Land divisions shall provide offers of dedication for public streets, bikeways and pathways.
2. Gross acreage may be utilized to calculate the allowable number of parcels.

***As conditioned, the project meets these standards. Hill Street and the future local road will be dedicated to county standards, which provide sufficient width for street and pathway improvements. The project meets the allowable density for the land use category.***

Section 22.112.080 Nipomo Urban Area Standards

22.112.080.A – Community-wide standards:

1. Connection to community sewers.
2. Right-of-way requirements.

***As proposed, the project meets the standard for sewer. Community sewer is anticipated through the Nipomo Community Services District. The project will meet the requirement to offer a minimum 8-foot parkway between the curb and sidewalk.***

Section 22.112.080 Residential Multi-Family Standards

22.112.080.G – Residential Multi-Family:

1. Density limitations
2. Permit requirement. Minor Use Permit required unless a Conditional Use Permit otherwise required. Approval shall ensure a lot pattern, including the possibility of clustering, to accommodate building sites that provide a varied distribution of buildings and articulated building layout with usable open space area and a gradation to adjacent neighborhoods and the freeway to maximize compatibility and mitigation of potential noise impacts.
3. Site planning criteria
  - a. Private outdoor space
  - b. Active recreation area

***As conditioned, the project meets these standards. The project, at 12 units/acre, meets the allowable maximum density of 15 units/acre for the land use category. The application includes a Conditional Use Permit, and the development proposed includes a varied and articulated building layout, with significantly more usable open space area than required. The development is sensitive to, and compatible with, adjacent development. Existing and future development to the east provides a barrier that minimizes the potential for noise impacts.***

***Both private outdoor space and active recreation area have been provided in the project, and the project includes significant common open space. Private open space has been provided with the required backyard area, as well as a combination of patios and balconies that meet the intent of the Planning Area Standard.***

COMMUNITY ADVISORY GROUP COMMENTS: The South County Advisory Group, at their regularly scheduled meeting on July 25, 2005, voted to recommend that the Planning Commission deny the project. The SCAC also included the comments and revisions for the project, including that lots should be no smaller than 6000 square feet, the project should have wider streets and a larger park area, and that duplexes or triplexes should be provided with more open space between them.

Response to Community Advisory Group comments

The Nipomo Urban Area Planning Area Standards (Sec. 22.112.080 of the LUO) provide minimum and maximum residential densities for parcels within the Residential Multi-Family (RMF) land use category. The subdivision design criteria in Sec. 22.22.080 of the LUO indicate a minimum parcel size of 6,000 square feet. However, a planned development in compliance with the Land Use Ordinance and the Subdivision Map Act, "may use smaller parcel sizes to be determined by the Review Authority through a Conditional Use Permit approval..." if two conditions are met: 1) the common ownership external parcel is in compliance with the provisions of the LUO, and 2) the density of residential units complies with the RMF category. The project has provided common ownership external parcel and meets the density requirement of the RMF. As the proposed project meets all of the density requirements and subdivision criteria, the proposed lot sizes of less than 6,000 square feet do not violate the Planning Area Standards for RMF. Finally, as described above in the "BACKGROUND" section, the applicant has revised the site layout to address some of the concerns of the SCAC including a larger active recreation area.

Additional SCAC comments – Pedestrian connections:

Members of the South County Advisory group have also expressed a need to provide additional pedestrian connections/trails in the downtown core, particularly on properties in the Residential Multi-Family land use category that are on the periphery of the West Tefft corridor area. Members of the SCAC have indicated that they support a requirement for residential developments (that would otherwise have private access easement only) to provide public pedestrian easements through their developments that would result in mid-block paseos. Based on its location and proposed small-lot planned development, the subject project would likely be a candidate to provide such a connection. However, at this time, the SCAC's proposal is under review by staff and has not been formalized; therefore, no public pedestrian access easement has been included in the project.

**AGENCY REVIEW:**

Public Works – Recommend approval with conditions.

Environmental Health - Applicant has provided preliminary evidence of water and sewer.

County Parks - Pay applicable Quimby and Building Division fees.

CDF - See attached fire safety letter dated May 18, 2005.

APCD - Proposed infill development is consistent with Clean Air Plan. Includes recommendations for dust control, demolition, developmental burning, naturally-occurring asbestos, wood-burning devices, and other mitigation measures.

**LEGAL LOT STATUS:**

The existing lot was legally created by a recorded map at a time when that was a legal method of creating lots.

## FINDINGS - EXHIBIT A

### *Environmental Determination*

- A. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on April 6, 2006 for this project. Mitigation measures are proposed to address air quality, geology and soils, public services/utilities, recreation, transportation/circulation, and water, and are included as conditions of approval

### *Tentative Map*

- B. The proposed map is consistent with applicable county general and specific plans because it complies with applicable area plan standards and is being subdivided in a consistent manner with the Residential Multi-Family land use category.
- C. The proposed map is consistent with the county zoning and subdivision ordinances because the parcels meet the minimum parcel size set by the Land Use Ordinance and the design standards of the Real Property Division Ordinance.
- D. The design and improvement of the proposed subdivision are consistent with the applicable county general and specific plans because the required improvements will be completed consistent with county ordinance and conditions of approval and the design of the parcels meets applicable policies of the general plan and ordinances
- E. The site is physically suitable for the type of development proposed because the proposed parcels contain adequate area for development of multi-family residences.
- F. The site is physically suitable for the proposed density of the development proposed because the site can adequately support multi-family residences.
- G. The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because no rare, endangered or sensitive species are present; and mitigation measures for air quality, geology and soils, public services/utilities, recreation, transportation/circulation, and water are required.
- H. The design of the subdivision or the type of improvement will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.
- I. The proposed map complies with Section 66474.6 of the State Subdivision Map Act, as to methods of handling and discharge of waste.

**EXHIBIT B**

**CONDITIONS OF APPROVAL FOR TR 2732**

**Approved Project**

1. A Vesting Tentative Tract Map and Conditional Use Permit to subdivide an existing 3.0 acre parcel into twenty-seven parcels including: twenty-four residential parcels ranging in size from approximately 2,430 to 2,748 square feet each, two parcels for common active recreation area, parking, and drainage, and a 1 acre future development lot (Lot 27). The project includes approval for the construction of 24 single family residences ranging in size from 1,352 to 1,584 square feet. The project includes off-site road improvements to Hill Street and the future local road to the north. The project will result in the disturbance of approximately 2.04 acres of a 3.0 acre parcel.

**Access and Improvements**

2. Roads and/or streets to be constructed to the following standards:
  - a. Hill Street widened to complete an A-2 section with 8-foot parkway fronting the property.
3. The applicant offer for dedication to the public by certificate on the map or by separate document:
  - a. For future road improvement 30 feet along the future local road to the north to be described as 30 feet from the recorded centerline.
  - b. For road widening purposes a minimum of 2 ½ feet along Hill Street, to be described as 25 feet from the recorded centerline. Also required is a pedestrian and landscape easement to contain the parkway and sidewalk.
  - c. A private easement be reserved on the map for access to all lots.
  - d. A 10-foot wide pedestrian access easement be reserved across Lot 26 and Lot 27 for pedestrian access to the future local road for the benefit of the future residents of the project.
  - e. All grading shall be done in accordance with Appendix 33 of the Uniform Building Code. All lot lines shall be considered as Site Area Boundaries with slopes setback accordingly.
  - f. All driveways shall be constructed in accordance with County Standard Improvement Specification and Drawings. All driveways constructed on county roads require an encroachment permit

### **Improvement Plans**

4. Improvement plans shall be prepared in accordance with San Luis Obispo County Improvement Standards and Specifications by a Registered Civil Engineer and submitted to the Department of Public Works and the county Health Department for approval. The plan is to include:
  - a. Street plan and profile.
  - b. Drainage ditches, culverts, and other structures (if drainage calculations require).
  - c. Water plan (County Health).
  - d. Sewer plan (County Health).
  - e. Grading and erosion control plan for subdivision related improvement locations.
  - f. Public utility plan, showing all existing utilities and installation of all utilities to serve every lot.
5. The applicant shall enter into an agreement with the county for the cost of checking the map, the improvement plans if any, and the cost of inspection of any such improvements by the county or its designated representative. The applicant shall also provide the county with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works.
6. The Registered Civil Engineer, upon completion of the improvements, must certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans. All public improvements shall be completed prior to occupancy of any new structure.

### **Drainage**

7. Submit complete drainage calculations to the Department of Public Works for review and approval.
8. If calculations so indicate, drainage must be retained in a drainage basin on the property. The design of the basin to be approved by the Department of Public Works, in accordance with county standards.
9. If a drainage basin is required, the drainage basin along with rights of ingress and egress be:
  - a. offered for dedication to the public by certificate on the map with an additional easement reserved in favor of the owners and assigns.

### **Soils Report**

10. A final soils report by a Registered Civil Engineer be submitted for review prior to the final inspection of the improvements.



### **Utilities**

11. Electric and telephone lines shall be installed underground.
12. Cable T.V. conduits shall be installed in the street.
13. Gas lines shall be installed.

### **Design**

14. The applicant shall apply to the Department of Planning and Building for approval of new street names prior to the filing of the final parcel or tract map. Approved street names shall be shown on the final parcel or tract map.
15. The applicant shall re-label the "remainder" lot as Lot 27 (future development).

### **Vector Control and Solid Waste**

16. A determination of method of pick-up shall be specified by the waste handler and if centralized facilities for the pick-up are required, provisions shall be made within the project for central facilities that meet Land Use Ordinance requirements for trash enclosures. If centralized facilities are established, this shall include provisions for recycling if service is available or subsequent installation of such facilities if recycling service becomes available in the future.

### **Fire Protection**

17. The applicant shall obtain a fire safety clearance letter from the California Department of Forestry (CDF)/County Fire Department establishing fire safety requirements prior to filing the final parcel or tract map.
18. Designate a fire lane within all the driveway areas. This lane to be a minimum width of twenty (20) feet.

### **Parks and Recreation (Quimby) Fees**

19. Unless exempted by Chapter 21.09 of the county Real Property Division Ordinance or California Government Code section 66477, prior to filing of the final parcel or tract map, the applicant shall pay the in-lieu" fee that will be used for community park and recreational purposes as required by Chapter 21.09. The fee shall be based on the total number of new parcels or remainder parcels shown on the map that do not already have legal residential units on them.

### **Affordable Housing Fee**

20. Prior to filing the final parcel or tract map, the applicant shall pay an affordable housing fee of 3.5 percent of the adopted public facility fee effective at the time of recording for each residential lot. This fee shall not be applicable to any official recognized affordable housing included within the residential project.

### **Easements**

21. A common open space easement be recorded for the open space parcels. It is to be held in common by the Homeowner's Association and active recreation, drainage, landscaping, fencing, and parking shall be allowed. The open space parcel is to be maintained as such in perpetuity.
22. **Prior to recordation of the final map**, the applicant shall submit a final "will-serve" letter from the Nipomo Community Services District to the Department of Environmental Health.

### **Additional Map Sheet**

23. The applicant shall prepare an additional map sheet to be approved by the county Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final parcel or tract map. The additional map sheet shall include the following:
  - a. If improvements are bonded for, all public improvements (roads, drainage, and utilities) shall be completed prior to occupancy of any new structure.
  - b. **Prior to issuance of construction permits**, all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code. Requirements shall include, but not be limited to those outlined in the Fire Safety Plan, prepared by the CDF/County Fire Department for this proposed project and dated March 15, 2005.
  - c. **Prior to issuance of construction permits**, the following measures shall be incorporated into the construction phase of the project and shown on all applicable plans:
    - i. Reduce the amount of the disturbed area where possible.
    - ii. Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible.
    - iii. All dirt stock-pile areas should be sprayed daily as needed.
    - iv. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible.
    - v. Building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
  - d. **Prior to issuance of construction permits, in the instance wood burning stoves are proposed**, the applicant shall submit building plans showing the use of APCD-approved wood burning devices limited to the following:
    - i. All EPA-Certified Phase II wood burning devices;
    - ii. Catalytic wood burning devices that emit less than or equal to 4.1 grams per hour of particulate matter that are not EPA-Certified but have been verified by a

- iii. nationally-recognized testing lab;
  - Non-catalytic wood burning devices that limit less than or equal to 7.5 grams per hour of particulate matter that are not EPA-Certified but have been verified by a nationally-recognized testing lab;
  - iv. Pellet-fueled woodheaters, and;
  - v. Dedicated gas-fired fireplaces.
- e. **Prior to demolition of any existing structures, utilities, or pipelines**, the applicant shall comply with the regulations set forth in the National Emission Standard for Hazardous Air Pollutants. These requirements include, but are not limited to: 1) notification requirements to the Air Pollution Control District, 2) asbestos survey conducted by a Certified Asbestos Contractor, and 3) applicable removal and disposal requirements of identified asbestos containing material.
- f. **Prior to issuance of construction permits**, the applicant shall pay applicable South County Road Improvement fees.
- g. **Prior to issuance of construction permits**, construction plans shall include indoor water conservation measures including: low water-use toilets, showerheads, and faucets; automatic shut-off devices for bathroom and kitchen faucets; and point-of-use supplemental water heater systems or circulating hot water systems in bathrooms and kitchen. Landscape plans for the proposed parcels must include outdoor conservation measures including: limited landscape area, low water-use plant materials, limited turf area, soil moisture sensors, and drip irrigation systems.
- h. **Prior to final inspection**, for structures where the pipe from the hot water heater to any faucet is greater than 20 feet in length, apply one or more of the following: 1) install a hot water pipe circulating system for entire structure; 2) install "point-of-use" water heater "boosters" near all hot water faucets (that are greater than 20 linear pipe feet from water heater), or 3) use the narrowest pipe possible (e.g., from 1" to ½" diameter). **Prior to permit issuance**, the measure(s) to be used shall be shown on all applicable plumbing plans.

#### **Covenants, Conditions and Restrictions**

24. The developer shall submit proposed covenants, conditions, and restrictions for the subdivision to the county Department of Planning and Building for review and approval. The CC&R's shall provide at a minimum the following provisions:
- a. On-going maintenance of drainage basin in a viable condition on a continuing basis into perpetuity.
  - b. Maintenance of common areas.
  - c. Notification to prospective buyers that an additional map sheet was recorded with the final parcel or tract map. The restrictions, conditions and standards set forth in the additional map sheet apply to future development. It is the responsibility of the prospective buyers to read the information contained on the additional map sheet.

**Miscellaneous**

25. This subdivision is also subject to the standard conditions of approval for all subdivisions using community water and sewer, a copy of which is attached hereto and incorporated by reference herein as though set forth in full.
26. A stormwater pollution plan may be necessary from the Regional Water Quality Control Board. Provide evidence that it has been obtained or is unnecessary prior to filing the map.
27. All timeframes on approved tentative maps for filing of final parcel or tract maps are measured from the date the Review Authority approves the tentative map, not from any date of possible reconsideration action.

**FINDINGS - EXHIBIT C**

**Conditional Use Permit SUB2004-00324 (Nipomo Oaks)**

**Environmental Determination**

- A. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on December 23, 2005 for this project. Mitigation measures are proposed to address air quality, geology and soils, public services/utilities, recreation, transportation/circulation, and water, and are included as conditions of approval.

**Conditional Use Permit**

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because the use is an allowed use and as conditioned is consistent with all of the General Plan policies.
- C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 22 of the County Code.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the multi-family residential project does not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the multi-family residential project is similar to, and will not conflict with, the surrounding lands and uses.
- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the project is located on Hill Street, a collector road, and the future local road to the north. Hill Street is constructed to a level able to handle any additional traffic associated with the project.

**CONDITIONS OF APPROVAL -- EXHIBIT D**

**Conditional Use Permit SUB2004-00324 (Nipomo Oaks)**

**Approved Development**

1. This approval authorizes
  - a. A multi-family residential development on 2.0 acres of a 3.0-acre parcel to construct twenty-four multi-family residences.
  - b. maximum height is 35 from average natural grade.

**Subdivision Related Approvals**

2. This approval authorizes a planned development/subdivision of a 3 acre parcel into 27 parcels for the construction of 24 residences two common area parcels, and a future development parcel, consistent with the Tentative Tract Map 2732.
3. This approval is effective for a period of 24 months from the date of the approval of the tentative map by the Planning Commission. Conditional Use time extensions shall run concurrently with the Tentative Map time extensions thereafter, until expiration of the Tentative Map. Time extensions for the Tentative Map must be requested by the applicant or agent and are subject to further review.
4. Any significant revisions in the Tentative Map not authorized by this approval shall require reconsideration by the Planning Commission.

**Conditions required to be completed at the time of application for construction permits**

***Site Development***

5. **At the time of application for construction permits**, submit a revised landscape plan to the Department of Planning and Building for review and approval. The revised plan shall indicate the following and development shall be consistent with this revised and approved plan:
  - a. Provision of additional shrub and small tree plantings along the fence-line of Lot 25 to break up the stretch of fence.
6. **At the time of application for construction permits**, the applicant shall provide details on any proposed exterior lighting, if applicable. The details shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp or the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark colored.

**Fire Safety**

7. **At the time of application for construction permits**, all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code. Requirements shall include, but not be limited to those outlined in the Fire Safety Plan, prepared by the CDF/County Fire Department for this proposed project and dated May 18, 2005.

**Services**

8. **At the time of application for construction permits**, the applicant shall provide a letter from Nipomo Community Services District stating they are willing and able to service the property.

**Grading, Drainage, Sedimentation and Erosion Control**

9. **At the time of application for construction permits**, the applicant shall submit a drainage plan for review and approval by the County Public Works Department. The plan shall contain, at a minimum:
  - a. Complete drainage calculations for county Public Works review and approval.
  - b. Retention / Detention of drainage in an on-site basin designed in accordance with county standards and approved by the county Public Works.
  - c. All runoff from impervious surfaces such as roofs, driveways, walks, patios, decks, shall be collected and detained on-site, or passed on through an effective erosion control device or drainage system approved by the County Engineer.
  - d. Permanent erosion control devices shall be installed prior to or concurrently with on-site grading activities.
  - e. Grading, filling or site disturbance of existing soil and vegetation shall be limited to the minimum areas necessary.
  - f. Stockpiles and other disturbed soils shall be protected from rain and erosion by plastic sheets or other covering.

**Conditions to be completed prior to issuance of a construction permit**

**Fees**

10. **Prior to issuance of a construction permit**, the applicant shall pay all applicable school and public facilities fees.

**Grading, Drainage, Sedimentation and Erosion Control**

11. **Prior to issuance of construction permits**, if grading is to occur between October 15 to April 15, a sedimentation and erosion control plan shall be submitted pursuant to Coastal Zone Land Use Ordinance Section 23.05.036.
12. **Prior to issuance of construction permits**, the following measures shall be incorporated into the construction phase of the project and shown on all applicable plans:
  - a. Reduce the amount of the disturbed area where possible.
  - b. Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used

- whenever possible.
- c. All dirt stock-pile areas should be sprayed daily as needed.
  - d. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible.
  - e. Building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
13. **Prior to issuance of construction permits, in the instance wood burning stoves are proposed**, the applicant shall submit building plans showing the use of APCD-approved wood burning devices limited to the following:
- a. All EPA-Certified Phase II wood burning devices;
  - b. Catalytic wood burning devices that emit less than or equal to 4.1 grams per hour of particulate matter that are not EPA-Certified but have been verified by a nationally-recognized testing lab;
  - c. Non-catalytic wood burning devices that limit less than or equal to 7.5 grams per hour of particulate matter that are not EPA-Certified but have been verified by a nationally-recognized testing lab;
  - d. Pellet-fueled woodheaters, and;
  - e. Dedicated gas-fired fireplaces.
14. **Prior to demolition of any existing structures, utilities, or pipelines**, the applicant shall comply with the regulations set forth in the National Emission Standard for Hazardous Air Pollutants. These requirements include, but are not limited to: 1) notification requirements to the Air Pollution Control District, 2) asbestos survey conducted by a Certified Asbestos Contractor, and 3) applicable removal and disposal requirements of identified asbestos containing material.
15. **Prior to issuance of construction permits**, the applicant shall pay applicable South County Road Improvement fees.
16. **Prior to issuance of construction permits**, construction plans shall include indoor water conservation measures including: low water-use toilets, showerheads, and faucets; automatic shut-off devices for bathroom and kitchen faucets; and point-of-use supplemental water heater systems or circulating hot water systems in bathrooms and kitchen. Landscape plans for the proposed parcels must include outdoor conservation measures including: limited landscape area, low water-use plant materials, limited turf area, soil moisture sensors, and drip irrigation systems.

**Conditions to be completed prior to occupancy or final building inspection /establishment of the use**

17. Landscaping in accordance with the approved landscaping plan shall be installed or bonded for before final building inspection of the first structure. If bonded for, landscaping shall be installed within 60 days after final building inspection of the first structure. All landscaping shall be maintained in a viable condition in perpetuity.
18. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection and approval from CDF of all required fire/life safety measures.



19. **Prior to final inspection**, for structures where the pipe from the hot water heater to any faucet is greater than 20 feet in length, apply one or more of the following: 1) install a hot water pipe circulating system for entire structure; 2) install "point-of-use" water heater "boosters" near all hot water faucets (that are greater than 20 linear pipe feet from water heater), or 3) use the narrowest pipe possible (e.g., from 1" to ½" diameter). **Prior to permit issuance**, the measure(s) to be used shall be shown on all applicable plumbing plans.
20. **Prior to occupancy of any structure associated with this approval**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.

***Grading, Drainage, Sedimentation and Erosion Control***

21. All areas disturbed by grading activities shall be revegetated with temporary or permanent erosion control devices.

***Fencing***

22. **Prior to occupancy or final inspection**, provide a 6-foot high solid wood or masonry fence along the property lines of the site, excluding the pedestrian pathway connecting to the north.

**On-going conditions of approval (valid for the life of the project)**

23. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 22.64.070 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance Section 22.64.080 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.
24. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 22.74.160 of the Land Use Ordinance.

STANDARD CONDITIONS OF APPROVAL FOR  
SUBDIVISIONS USING COMMUNITY WATER AND SEWER

1. Community water and fire protection shall be obtained from the community water system.
2. Operable water facilities from an approved community water source shall be assured prior to the filing of the final map. A "final will serve" letter shall be obtained and submitted to the county Health Department for review and approval stating there are operable water facilities immediately available for connection to the parcels created. Water main extensions, laterals to each parcel and related facilities (except well(s)) may be bonded for subject to the approval of county Public Works, the county Health Department and the public water utility.
3. No residential building permits are to be issued until the community (public) water system is operational with a domestic water supply permit issued by the county Health Officer.
4. In order to protect the public safety and prevent possible groundwater pollution, any abandoned wells on the property shall be destroyed in accordance with the San Luis Obispo County Well Ordinance Chapter 8.40, and county Health Department destruction standards. The applicant is required to obtain a permit from the county Health Department.
5. When a potentially operational or operational auxiliary water supply in the form of an existing well(s) is located on the parcels created and approved community water is proposed to serve the parcels, the community water supply shall be protected from real or potential cross-contamination by means of an approved cross-connection control device installed at the meter or property line service connection prior to occupancy. (Chapter 8.30, San Luis Obispo County Ordinance)
6. Sewer service shall be obtained from the community sewage disposal system.
7. Prior to the filing of the map a "final will serve" letter be obtained and submitted to the county Health for review and approval stating that community sewer system service is immediately available for connection to the parcels created. Sewer main extensions may be bonded for, subject to the approval of county Public Works and sewer district.
8. No residential building permits shall be issued until community sewers are operational and available for connection.
9. An encroachment permit shall be obtained from county Public Works for any work to be done within the county right-of-way.
10. An encroachment permit shall be obtained from the California Department of Transportation for any work to be done on the state highway.
11. Any existing reservoir or drainage swale on the property shall be delineated on the map.

12. Prior to submission of the map “checkprints” to county Public Works, the project shall be reviewed by all applicable public utility companies and a letter be obtained indicating required easements.
13. Required public utility easements shall be shown on the map.
14. Approved street names shall be shown on the map.
15. The applicant shall comply with state, county and district laws/ordinances applicable to fire protection and consider increased fire risk to area by the subdivision of land proposed.
16. The developer shall submit a preliminary subdivision guarantee to county Public Works for review prior to the filing of the map.
17. Any private easements on the property shall be shown on the map with recording data.
18. All conditions of approval herein specified, unless otherwise noted, shall be complied with prior to the filing of the map.
19. After approval by the Review Authority, compliance with the preceding conditions will bring the proposed subdivision in conformance with the Subdivision Map Act and county ordinances.
20. A map shall be filed in accordance with Subdivision Map Act and county ordinance prior to sale, lease, or financing of the lots proposed by the subdivision.
21. A tentative map will expire 24 months from the effective date of the approval. Tentative maps may be extended. Written requests with appropriate fees must be submitted to the Planning Department prior to the expiration date. The expiration of tentative maps will terminate all proceedings on the matter.

3-20



**COUNTY OF SAN LUIS OBISPO**  
**MITIGATED NEGATIVE DECLARATION & NOTICE OF DETERMINATION**

FOR OFFICIAL USE ONLY (BP)

**ENVIRONMENTAL DETERMINATION NO. ED05-191**

**DATE: April 6, 2006**

**PROJECT/ENTITLEMENT:** Nipomo Oaks Tract Map SUB2004-00324

**APPLICANT NAME:** Nipomo Oaks

**ADDRESS:** PO Box 15747, San Luis Obispo, CA 93406

**CONTACT PERSON:** Same as applicant

**Telephone:** 805-593-4603

**PROPOSED USES/INTENT:** Request by Nipomo Oaks for a Vesting Tentative Tract Map and Conditional Use Permit to allow for: 1) a planned development, 2) subdivision of a 3.0 acre parcel into twenty-seven parcels resulting in twenty-four residential parcels ranging from approximately 2,430 to 2,748 square feet each, two parcels for common active recreation area, parking and drainage (totaling 16,721 square feet), and a 1 acre remainder parcel, and 3) grading for and construction of 24 detached residences (ranging from 1,352 to 1,584 square feet each), which will result in the total disturbance of approximately 2.04 acres..

**LOCATION:** The proposed project is within the Residential Multi-Family land use category and is located on the north side of Hill Street, approximately 900 feet west of South Frontage Road in the community of Nipomo. The site is in the South County (Inland) planning area.

**LEAD AGENCY:** County of San Luis Obispo Department of Planning & Building  
County Government Center, Rm. 310  
San Luis Obispo, CA 93408-2040

**OTHER POTENTIAL PERMITTING AGENCIES:** Regional Water Quality Control Board

**ADDITIONAL INFORMATION:** Additional information pertaining to this environmental determination may be obtained by contacting the above Lead Agency address or (805) 781-5600.

**COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT .....5 p.m. on April 20, 2006**

**30-DAY PUBLIC REVIEW PERIOD begins at the time of public notification**

**Notice of Determination**

**State Clearinghouse No.** \_\_\_\_\_

This is to advise that the San Luis Obispo County \_\_\_\_\_ as ☐ *Lead Agency*  
☐ *Responsible Agency* approved/denied the above described project on \_\_\_\_\_, and has made the following determinations regarding the above described project:

The project will not have a significant effect on the environment. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA. Mitigation measures were made a condition of the approval of the project. A Statement of Overriding Considerations was not adopted for this project. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Negative Declaration with comments and responses and record of project approval is available to the General Public at:

Department of Planning and Building, County of San Luis Obispo,  
County Government Center, Room 310, San Luis Obispo, CA 93408-2040

Brian Pedrotti

County of San Luis Obispo

**Signature**

**Project Manager Name**

**Date**

**Public Agency**

3-21



**San Luis Obispo County**  
**Department of Planning and Building**  
*environmental division*

**ENVIRONMENTAL DOCUMENT FILING FEE FORM**

**NOTICE:** During environmental review, this project required consultation, review or development of mitigation measures by the California Department of Fish and Game. Therefore, the applicants will be assessed user fees pursuant to section 711.4 of the California Fish and Game Code.. The California Environmental Quality Act (Section 21089) provides that this project is not operative, vested or final until the filing fees are paid.

Lead Agency: County of San Luis Obispo

Date: April 6, 2006

County: San Luis Obispo

Project No. SUB2004-00324

Project Title: Nipomo Oaks Tract Map

**Project Applicant**

Name: Nipomo Oaks

Address: PO Box 15747

City, State, Zip Code: San Luis Obispo, CA 93406

Telephone #: 805-593-4603

Please remit the following amount to the **County Clerk-Recorder:**

( ) Environmental Impact Report	\$	850.00
(X) Negative Declaration	\$	1250.00
(X) County Clerk's Fee	\$	<u>25.00</u>
<b>Total amount due:</b>		<b>1250.00</b>

**AMOUNT ENCLOSED:** \_\_\_\_\_

Checks should be made out to the "**County of San Luis Obispo**". Payment must be received by the County Clerk, 1055 Monterey Street, Room D-120, San Luis Obispo, CA 93408-2040, within two days of project approval.

**NOTE:** Filing of the Notice of Determination for the attached environmental document requires a filing fee in the amount specified above. If the fee is not paid, the Notice of Determination cannot be filed.



**COUNTY OF SAN LUIS OBISPO  
INITIAL STUDY SUMMARY - ENVIRONMENTAL CHECKLIST**

**Project Title & No.** Nipomo Oaks Tract Map and Conditional Use Permit ED 05-191

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:** The proposed project could have a "Potentially Significant Impact" for at least one of the environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less than significant levels or require further study.

<input type="checkbox"/> Aesthetics	<input checked="" type="checkbox"/> Geology and Soils	<input checked="" type="checkbox"/> Recreation
<input type="checkbox"/> Agricultural Resources	<input type="checkbox"/> Hazards/Hazardous Materials	<input checked="" type="checkbox"/> Transportation/Circulation
<input checked="" type="checkbox"/> Air Quality	<input type="checkbox"/> Noise	<input type="checkbox"/> Wastewater
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Population/Housing	<input checked="" type="checkbox"/> Water
<input type="checkbox"/> Cultural Resources	<input checked="" type="checkbox"/> Public Services/Utilities	<input type="checkbox"/> Land Use

**DETERMINATION:** (To be completed by the Lead Agency)

On the basis of this initial evaluation, the Environmental Coordinator finds that:

- ☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Brian Pedrotti  
Prepared by (Print)

*B. D. Pedrotti*  
Signature

4/4/06  
Date

Jeff Oliveira  
Reviewed by (Print)

*Jeff Oliveira*  
Signature

Ellen Carroll,  
Environmental Coordinator  
(for)

4/4/06  
Date

**Project Environmental Analysis**

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. Exhibit A includes the references used, as well as the agencies or groups that were contacted as a part of the Initial Study. The Environmental Division uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.

Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Environmental Division, Rm. 310, County Government Center, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

**A. PROJECT**

**DESCRIPTION:** Request by Nipomo Oaks for a Vesting Tentative Tract Map and Conditional Use Permit to subdivide an existing 3.0 acre parcel into twenty-seven parcels including: twenty-four residential parcels ranging in size from approximately 2,430 to 2,748 square feet each, two parcels for common active recreation area, parking, and drainage, and a 1 acre remainder parcel. The project includes approval for the construction of 24 single family residences ranging in size from 1,352 to 1,584 square feet. The project includes off-site road improvements to Hill Street and Tanis Place. The project will result in the disturbance of approximately 2.04 acres of a 3.0 acre parcel. The proposed project is within the Residential Multi-Family land use category and is located on the north side of Hill Street, approximately 900 feet west of South Frontage Road in the community of Nipomo. The site is in the South County (Inland) planning area.

ASSESSOR PARCEL NUMBER(S): 092-130-019

SUPERVISORIAL DISTRICT # 4

**B. EXISTING SETTING**

PLANNING AREA: South County (Inland), Nipomo

LAND USE CATEGORY: Residential Multi-Family

COMBINING DESIGNATION(S): None

EXISTING USES: Residence

TOPOGRAPHY: Nearly level to gently sloping

VEGETATION: Grasses

PARCEL SIZE: 3 acres

SURROUNDING LAND USE CATEGORIES AND USES:

*North:* Commercial Retail; residence

*East:* Commercial Retail; undeveloped

South: Residential Multi-Family; accessory structures	West: Residential Multi-Family; undeveloped
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### C. ENVIRONMENTAL ANALYSIS

During the Initial Study process, several issues were identified as having potentially significant environmental effects (see following Initial Study). Those potentially significant items associated with the proposed uses can be minimized to less than significant levels.

### COUNTY OF SAN LUIS OBISPO INITIAL STUDY CHECKLIST

1.	<b>AESTHETICS - Will the project:</b>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	<i>Create an aesthetically incompatible site open to public view?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	<i>Introduce a use within a scenic view open to public view?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	<i>Change the visual character of an area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	<i>Create glare or night lighting, which may affect surrounding areas?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	<i>Impact unique geological or physical features?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	<i>Other:_____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project will be visible from Hill Street, a collector street, and from Tanis Street, a future local road. The site is located in an area of Nipomo that contains a mix of single-family residential and multi-family residential uses. Both one and two story structures are common. There is currently an existing one-story home on the project site. It will be demolished prior to construction of the proposed development. Parcels in the Multi-family land use category lie to the south and west, with one undeveloped and one developed with a single-family residence. Where landscaping hasn't been installed, vegetation in the area is composed of a mix of nonnative grasses, and widely scattered oaks. The site is approximately 1000 feet west of Highway 101 but will not be visible from the freeway due to other existing developments and topographic changes.

The proposed project will consist of twenty-four structures oriented around a "horseshoe" style access drive and a central park. They will each be two stories high with garages along the access drive. There are three floor plans and three elevations planned for the site. The structures are expected to be a mix of stucco with stone fascia.

**Impact.** The project meets all applicable design guidelines for multi-family residential structures. It will be similar in design and color scheme to other recent developments in the Nipomo area. It is considered compatible with the surrounding uses.

No significant visual impacts are expected to occur.



**Mitigation/Conclusion.** No mitigation measures are necessary.

## 2. AGRICULTURAL RESOURCES

*- Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Convert prime agricultural land to non-agricultural use?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Impair agricultural use of other property or result in conversion to other uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Conflict with existing zoning or Williamson Act program?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The soil types include: Oceano sand, (0 - 9 % slope). As described in the Natural Resource Conservation Service Soil Survey, the "non-irrigated" soil class is "VI", and the "irrigated" soil class is "IV".

**Impact.** The project is located in a predominantly non-agricultural area with no agricultural activities occurring on the property. One commercial agricultural operation exists approximately 600 feet to the south of the project site. An existing property with a single-family residence separates the two. No significant impacts to agricultural resources are anticipated.

**Mitigation/Conclusion.** No mitigation measures are necessary.

## 3. AIR QUALITY - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Expose any sensitive receptor to substantial air pollutant concentrations?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create or subject individuals to objectionable odors?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be inconsistent with the District's Clean Air Plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project site is located within the South Central Coast Air Basin and is nearest to the Nipomo Ralcoa Way Air Quality Monitoring Station. Based on the latest air monitoring station information, the trend in air quality in the general area is improving. The Air Pollution Control District (APCD) estimates that automobiles currently generate about 40% of the pollutants responsible for ozone formation. Nitrous oxides (NO<sub>x</sub>) and reactive organic gasses (ROG) pollutants (vehicle emission components) are common contributors towards this chemical transformation into ozone. Dust, or particulate matter less than ten microns (PM<sub>10</sub>) that become airborne and which find their way into the lower atmosphere, can act as the catalyst in this chemical transformation to harmful ozone. In part, the land use controls currently in place for new development relating to ROG and NO<sub>x</sub> (i.e., application of the CEQA Air Quality Handbook) have helped reduce the formation of ozone.

**Impact.** The proposed project site is located adjacent to existing residential development. Residential areas are sensitive to air pollution, including both construction and operational emissions. Residential construction and road improvements would result in approximately 2.04 acres of site disturbance. The proposed project was referred to the County of San Luis Obispo Air Pollution Control District (APCD) for review and determination of any air quality impacts potentially resulting during both the construction and operational phases of the proposed project.

As identified by the APCD, air quality impacts during construction include the creation of fugitive dust (PM<sub>10</sub>), the potential release of asbestos during demolition and removal of pipelines, the potential release of naturally occurring asbestos during grading, and un-permitted developmental burning.

Fugitive Dust (PM<sub>10</sub>). Implementation of the proposed project would result in the generation of dust, potentially affecting local residents and businesses in close proximity to the project site. Dust complaints could result in violation of the APCD's nuisance rules, a potentially significant air quality impact.

Material-Containing Asbestos. Asbestos-containing materials could be encountered during the demolition, relocation, or remodeling of existing buildings. Asbestos can also be found in utility pipes/pipelines. If asbestos is present in onsite structures, proposed demolition activities would result in a release of asbestos, and a potentially significant air quality impact.

Naturally-Occurring Asbestos. According to the APCD, the project site is located in an area containing potentially naturally occurring asbestos, serpentine or ultramafic rock. The State Air Resources Board considers asbestos a toxic air contaminant. If asbestos is present within the soil underlying the project site, future grading and site disturbance activities would release the asbestos into the air, resulting in a potentially significant air quality impact.

Developmental Burning. On February 5, 2000, the APCD prohibited developmental burning of vegetative material within San Luis Obispo County; however, in certain situations where no technically feasible alternative is available, limited burning under restrictions may be allowed. Unregulated burning would result in a potentially significant air quality impact.

Clean Air Plan Consistency. The proposed project would be located within an existing urban area, and is consistent with the Clean Air Plan.

**Mitigation/Conclusion.** To mitigate for potential air quality impacts, the applicant has agreed to implement the following measures.

Fugitive Dust (PM<sub>10</sub>). To minimize nuisance dust impacts, the applicant is required to implement APCD fugitive dust mitigation measures including reducing the amount of disturbed area where possible, the use of water trucks or sprinkler systems to water down airborne dust, daily spraying of

dirt stock-pile areas, paving of applicable surfaces as soon as possible after grading, laying of building pads as soon as possible.

Material-Containing Asbestos. Prior to demolition of onsite structures or underground pipes, the applicant has agreed to comply with the requirements listed in the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M – asbestos NESHAP). These requirements include, but are not limited to: 1) APCD notification; 2) completed asbestos survey conducted by a Certified Asbestos Inspector, and; 3) applicable removal and disposal requirements of identified asbestos-containing materials.

Naturally-Occurring Asbestos. County maps and the Geotechnical evaluation prepared for the project note that the project is located on sand (Oceano sand), which is a soil type not known to contain naturally occurring asbestos, therefore no asbestos-related mitigation measures are necessary

Developmental Burning. To minimize the effects of vegetative burning on regional air quality, the applicant is required by regulation to avoid burning, or if no alternative is available, obtain a burn permit from the APCD and County Fire/California Department of Forestry, and comply with all conditions required by these agencies.

Implementation of the mitigation measures described above and listed in Exhibit B would mitigate all identified air quality impacts to levels of insignificance.

<b>4. BIOLOGICAL RESOURCES -</b> <b><i>Will the project:</i></b>	<b>Potentially Significant</b>	<b>Impact can &amp; will be mitigated</b>	<b>Insignificant Impact</b>	<b>Not Applicable</b>
a) <b><i>Result in a loss of unique or special status species or their habitats?</i></b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <b><i>Reduce the extent, diversity or quality of native or other important vegetation?</i></b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <b><i>Impact wetland or riparian habitat?</i></b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <b><i>Introduce barriers to movement of resident or migratory fish or wildlife species, or factors, which could hinder the normal activities of wildlife?</i></b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <b><i>Other:</i></b> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The following habitats were observed on the proposed project: Grasses

Based on the latest California Diversity database and other biological references, the following species or sensitive habitats were identified:

The project site occurs within the Santa Barbara Vernal Pool Region designated by the California Department of Fish and Game. Vernal pool habitat consists of seasonal wetlands (i.e. areas that pond water during the wet season and dry up during the summer months) that may provide habitat for sensitive aquatic plant and animal species.

Plants: Sand Mesa manzanita (*Arctostaphylos rudis*) List 1B app. 0.6 miles northwest of the property, 0.7 miles west of the property, and 0.9 miles north of the property

Sand mesa manzanita (*Arctostaphylos rudis*) is a CNPS List 1B (rare, threatened, or endangered in California and elsewhere) evergreen shrub. This species occurs within chaparral and coastal scrub habitat types. The elevation range for this species is 25 to 230 meters, and the blooming period is November through February.

Wildlife: None

KEY: FE-Federally Endangered; PFE-Proposed Listing-Federally Endangered; FT-Federally Threatened; PFT-Proposed listing-Federally Threatened; FC-Federal Candidate; FSC-Federal Species of Concern (no longer used); FD - Federally delisted SE-State Endangered; SCE-State Endangered Candidate for listing; ST-State Threatened; SCT-State Threatened Candidate for listing; SR-State Rare; CSC- CA Special Concern Species; FP-CDFG Fully Protected; List 1A-CNPS Presumed extinct in CA; List 1B-CNPS Rare or Endangered in CA & elsewhere; List 2-CNPS Rare or Endangered in CA, but common elsewhere; List 3-CNPS Plants needing more info (Review List); List 4-CNPS Plants of limited distribution (Watch List).

Habitats: Santa Barbara Vernal Pool Region

**Impact.** A site visit of the project site was made in November by County Planning Staff to identify the potential for vernal pool habitat and/or listed plant and fairy shrimp species. At this time, no evidence of vernal pools or potential areas for ponded water was observed. The topography on the project site is such that water would not pool in a manner consistent with the characteristics of vernal pools or seasonal wetlands. The site sloped continuously from a high point on the northwest corner to the low point on the southwest corner. The site was highly disturbed from activities associated with the existing residence. There was no indication of habitat suitable for supporting fairy shrimp or sensitive plant species associated with vernal pools. The project site does not support any sensitive native vegetation, significant wildlife habitats, or special status species.

**Mitigation/Conclusion.** No significant biological impacts are expected to occur, and no mitigation measures are necessary.

## 5. CULTURAL RESOURCES - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Disturb pre-historic resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Disturb historic resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Disturb paleontological resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project is located in an area historically occupied by the Obispeno Chumash. No historic structures are present and no paleontological resources are known to exist in the area.

**Impact.** The project is located in an area that could be considered culturally sensitive due to its proximity to other mapped archaeological sites. A Phase I (surface) survey was conducted (Singer, 2001). No evidence of cultural materials was noted on the property. The project is unlikely to affect paleontological resources because it is not expected to disturb bedrock.

**Mitigation/Conclusion.** No significant cultural resource impacts are expected to occur, and no mitigation measures are necessary.

**6. GEOLOGY AND SOILS -***Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be within a California Geological Survey "Alquist-Priolo Earthquake Fault Zone"?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Change rates of soil absorption, or amount or direction of surface runoff?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Include structures located on expansive soils?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Involve activities within the 100-year flood zone?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) <i>Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) <i>Preclude the future extraction of valuable mineral resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** GEOLOGY - The topography of the project is nearly level. The area proposed for development is outside of the Geologic Study Area designation. The landslide risk potential is not known. The liquefaction potential during a ground-shaking event is not known. No active faulting is known to exist on or near the subject property. The project is not within a known area containing serpentine or ultramafic rock or soils.

**DRAINAGE** – The area proposed for development is outside the 100-year Flood Hazard designation. The closest creek (Nipomo Creek) from the proposed development is approximately 0.4 miles to the east. As described in the Natural Resource Conservation Service Soil Survey, the soil is considered well drained. For areas where drainage is identified as a potential issue, the LUO (Sec. 22.52.080) includes a provision to prepare a drainage plan to minimize potential drainage impacts. When

required, this plan would need to address measures such as: constructing on-site retention or detention basins, or installing surface water flow dissipaters. This plan would also need to show that the increased surface runoff would have no more impacts than that caused by historic flows.

**SEDIMENTATION AND EROSION** – The soil types include: Oceano sand, (0 - 9 % slope). As described in the NRCS Soil Survey, the soil surface is considered to have low erodibility and low shrink-swell characteristics.

When highly erosive conditions exist, a sedimentation and erosion control plan is required (LUO Sec. 22.52.090) to minimize these impacts. When required, the plan is prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. Projects involving more than one acre of disturbance are subject to the preparation of a Storm Water Pollution Prevention Plan (SWPPP), which focuses on controlling storm water runoff. The Regional Water Quality Control Board is the local extension who monitors this program.

**Impact.** As proposed, the project will result in the disturbance of approximately 2.04 acres and will require a SWPPP be prepared. The applicant is proposing to construct onsite underground basins to contain drainage onsite.

**Mitigation/Conclusion.** The project is required to prepare and implement a SWPPP as well as drainage controls. There is no evidence that measures above what will already be required by ordinance or codes are needed.

<b>7. HAZARDS &amp; HAZARDOUS MATERIALS - Will the project:</b>	<b>Potentially Significant</b>	<b>Impact can &amp; will be mitigated</b>	<b>Insignificant Impact</b>	<b>Not Applicable</b>
a) <i>Result in a risk of explosion or release of hazardous substances (e.g. oil, pesticides, chemicals, radiation) or exposure of people to hazardous substances?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Interfere with an emergency response or evacuation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Expose people to safety risk associated with airport flight pattern?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Increase fire hazard risk or expose people or structures to high fire hazard conditions?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Create any other health hazard or potential hazard?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project is not located in an area of known hazardous material contamination. The project is within a high severity risk area for fire. The project is not within the Airport Review area.

**Impact.** The project does not propose the use of hazardous materials. The project does not present a significant fire safety risk. The project is not expected to conflict with any regional evacuation plan.

**Mitigation/Conclusion.** No significant impacts as a result of hazards or hazardous materials are anticipated, and no mitigation measures are necessary.

8. NOISE - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Expose people to noise levels that exceed the County Noise Element thresholds?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Generate increases in the ambient noise levels for adjoining areas?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Expose people to severe noise or vibration?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The site is approximately 1,000 feet west of Highway 101. The topography between the highway includes rolling ridges and will likely lessen the impact of noise emanating from the highway. There are large mixed-use projects currently planned between the proposed project and the highway. In reviewing the County's Noise Element, the noise contour maps indicated that the site could be in the 60 dbA noise contour. The county considers residences, offices, and schools as sensitive noise receptors.

**Impact.** As proposed, future residents on portions of the project site may be exposed to nearby road-related noise, but it is expected that the topography and new construction planned adjacent to the proposed project will act as a sound barrier. In addition, standard construction would further reduce future indoor noise levels. Indoor and outdoor activity areas should not exceed the standards of the Noise Element. The proposed project is not expected to increase the ambient noise levels in the area.

**Mitigation/Conclusion.** No significant noise impacts are anticipated, and no mitigation measures are necessary.

9. POPULATION/HOUSING - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Displace existing housing or people, requiring construction of replacement housing elsewhere?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

9. POPULATION/HOUSING - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
c) <i>Create the need for substantial new housing in the area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Use substantial amount of fuel or energy?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** In its efforts to provide for affordable housing, the county currently administers the Home Investment Partnerships (HOME) Program and the Community Development Block Grant (CDBG) program, which provides limited financing to projects relating to affordable housing throughout the county. Title 18 of the County Code (Public Facilities Fees) requires that an affordable housing mitigation fee be imposed as a condition of approval of any new residential development project.

**Impact.** The project will not result in a need for a significant amount of new housing, and will not displace existing housing.

**Mitigation/Conclusion.** No significant population and housing impacts are anticipated, and no mitigation measures are necessary. Prior to map recordation, the applicant will pay an affordable housing mitigation fee of 3.5 percent of the adopted Public Facility Fee. This fee will not apply to any county-recognized affordable housing included within the project.

10. PUBLIC SERVICES/UTILITIES - <i>Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Fire protection?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Police protection (e.g., Sheriff, CHP)?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Schools?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Roads?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Solid Wastes?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) <i>Other public facilities?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project area is served by the County Sheriff's Department and CDF/County Fire as the primary emergency responders. The closest CDF fire station (Nipomo Station 20) is approximately 0.4 miles to the north. The closest Sheriff substation is in Oceano, which is approximately 12 miles from the proposed project. The project is located in the Lucia Mar Unified School District.

**Impact.** No significant project-specific impacts to utilities or public services were identified. This



project, along with others in the area, will have a cumulative effect on police and fire protection, roads, schools, and other public facilities. The project's direct and cumulative impacts are within the general assumptions of allowed use for the subject property that was used to estimate the fees in place.

**Mitigation/Conclusion.** Regarding cumulative effects, public facility (county) and school (State Government Code 65995 et seq) fee programs have been adopted to address this impact, and will reduce the cumulative impacts to less than significant levels.

<b>11. RECREATION - Will the project:</b>	<b>Potentially Significant</b>	<b>Impact can &amp; will be mitigated</b>	<b>Insignificant Impact</b>	<b>Not Applicable</b>
a) <i>Increase the use or demand for parks or other recreation opportunities?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Affect the access to trails, parks or other recreation opportunities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The County Trails Plan does not show that a potential trail goes through the proposed project. The project is not proposed in a location that will affect any trail, park or other recreational resource. The project proposes 9,566 square feet within the project area as common active recreation area(s). Prior to map recordation, county ordinance requires the payment of a fee (Quimby) for the improvement or development of neighborhood or community parks.

**Impact.** The proposed project will not create a project specific significant need for additional park or recreational resources, but will contribute to a cumulative overall demand for these resources.

**Mitigation/Conclusion.** The "Quimby" fee will adequately mitigate the project's impact on recreational facilities.) No significant recreation impacts are anticipated, and no mitigation measures are necessary.

<b>12. TRANSPORTATION/ CIRCULATION - Will the project:</b>	<b>Potentially Significant</b>	<b>Impact can &amp; will be mitigated</b>	<b>Insignificant Impact</b>	<b>Not Applicable</b>
a) <i>Increase vehicle trips to local or areawide circulation system?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce existing "Levels of Service" on public roadway(s)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Provide for adequate emergency access?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Result in inadequate parking capacity?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## 12. TRANSPORTATION/ CIRCULATION - *Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
f) <i>Result in inadequate internal traffic circulation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) <i>Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., pedestrian access, bus turnouts, bicycle racks, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h) <i>Result in a change in air traffic patterns that may result in substantial safety risks?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** Future development will access onto the following public road(s): Hill Street, Tanis Place. The identified roadways are operating at acceptable levels. Referrals were sent to Public Works and Caltrans. No significant traffic-related concerns were identified by Public Works and no response was received from Caltrans.

**Impact.** The proposed project is estimated to generate about 240 trips per day, based on the Institute of Traffic Engineer's manual of 10/unit. The continued development of Nipomo, including the proposed project, would increase the traffic demands on West Tefft Street, and the Highway 101 and Tefft Street interchange. Based on consultation with the Public Works Department, the Level of Service at the interchange would decrease to LOS F under the areawide cumulative build-out scenario. The County has developed the South County Road Fee Program to collect fees to be used towards road improvement projects within Nipomo and South County, including future improvements to the Highway 101 and Tefft Street interchange.

**Mitigation/Conclusion.** The proposed project is located within the South County Fee Area. Prior to issuance of construction permits for future development land uses on the project site, the applicant will be required to contribute to the fee program. The fees contributed to this program would partially finance the implementation of improvements to the Highway 101 and Tefft Street interchange, and mitigate cumulative impacts resulting from future development. In addition, Hill Street shall be improved to facilitate auto and emergency vehicle access and Tanis Place will improved or bonded for improvement. No other significant impacts were identified and no other specific traffic-related mitigation measures are necessary.

## 13. WASTEWATER - *Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

13. WASTEWATER - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
b) <i>Change the quality of surface or ground water (e.g., nitrogen-loading, daylighting)?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Adversely affect community wastewater service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project will be served by the Nipomo Community Services District for wastewater disposal. This system is currently operating at acceptable levels and the system has the capacity to support existing commitments in addition to the proposed project.

**Impact.** The project proposes to use a community system (NCSD) as its means to dispose of wastewater. Based on the proposed project, the proposed community system has the capacity to handle the project's additional effluent.

**Mitigation/Conclusion.** Given that the system is currently operating at acceptable levels and that it has the capacity to support existing commitments in addition to the proposed project, no mitigation measures are necessary.

14. WATER - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate any water quality standards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, temperature, dissolved oxygen, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Change the quantity or movement of available surface or ground water?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Adversely affect community water service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting/Impact.**

**Surface Water.** The proposed project site is not located near any sources of surface water. The topography of the site is moderately sloping. Standard drainage and erosion control measures and preparation of a SWPPP would be required for the proposed project and would provide sufficient measures to adequately protect surface water quality. No additional measures are considered necessary and potential water quality impacts are either insignificant or will be reduced to less than significant levels.

**Water Usage.** The project proposes to use the NCSD as its water source. The Environmental Health Division has reviewed the project for water availability and has determined that there is preliminary evidence that there will be sufficient water available to serve the proposed project (Laurie A. Salo; April 18, 2005). The NCSD pumps water from the Santa Maria groundwater basin, which is made up of three interconnected sub areas (Tri-Cities, Nipomo Mesa, Santa Maria).

Based on the most recent comprehensive study completed for this basin (State Department of Water Resources, "Water Resources of the Arroyo Grande-Nipomo Mesa Area", 2002), while extractions will increase above current levels over the next twenty years, the study concludes that "Supplies appear adequate to meet water demands through water year 2020". However, the study recognizes that there is a sizeable local pumping depression on the Nipomo Mesa that has changed the dynamics of flow between two sub areas (Santa Maria, Nipomo Mesa). The study warns that seawater intrusion could result from this existing pumping depression if water management practices are not changed in the future and this depression continues to grow. Also, due mainly to the absence of current evidence of seawater intrusion, DWR concludes that the basin is not in a state of overdraft. The report does recommend a number of measures to improve monitoring of the basin as well as increase the use of recycled water.

On November 2, 2004, the Board of Supervisors certified RMS Level of Severity 2 for water supply in the Nipomo Mesa area, defined as the area subject to the 2.3% growth limit, as depicted in the Growth Management Ordinance.

The County Flood Control and Water Conservation District will implement improved well monitoring and water quality monitoring programs for this area. Water purveyors in the Nipomo Mesa area are encouraged to strengthen their water conservation programs, increase their use of reclaimed water and continue their efforts to secure supplemental water. Also, building permits must include the full range of water conservation measures, including: low water-use toilets, showerhead, faucets; low water-use clothes washers; automatic shut-off devices for bathroom and kitchen faucets; point-of-use supplemental water heater systems in bathrooms and kitchen, or circulating hot water systems; low water-use landscape; limited landscape areas; limited turf areas; low water-use plant materials; soil moisture sensors; drip irrigation systems; and separate meters for outdoor water use.

The Board of Supervisors also directed staff to process a general plan amendment (planning area standard) that would expand the application of landscape standards in the LUO (Sec. 22.16.020) for projects in the area subject to the 2.3% growth limit. Low water-use landscapes will now be required for all developer-installed landscapes on parcels of 5 acres or less in any land use category. In an effort to monitor the effectiveness of these water conservation measures, each annual update of the Growth Management Ordinance will include data to indicate if the water use rate per dwelling unit is trending downward. If progress toward water conservation targets is not evident, further growth limitations will be recommended.

**Mitigation/Conclusion.** To conserve water, the project will be subject to the County's Title 19 (Building and Construction Ordinance, Sec. 19.20.240) in addition to the measures described above. The ordinance requires the following water-conserving fixtures for domestic use: toilets limited to 1.6 gallons/flush; showerheads and faucets limited to 2.75 gallons/ minute; spas and hot tubs shall use

re-circulating systems; and water supply piping shall be installed so each dwelling unit may be served by a separate water meter. Based on implementation of required water conservation measures, water impacts would be reduced to insignificance and no further measures are necessary.

<b>15. LAND USE - Will the project:</b>	<b>Inconsistent</b>	<b>Potentially Inconsistent</b>	<b>Consistent</b>	<b>Not Applicable</b>
a) <i>Be potentially inconsistent with land use, policy/regulation (e.g., general plan [county land use element and ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be potentially inconsistent with any habitat or community conservation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be potentially incompatible with surrounding land uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting/Impact.** Surrounding uses are identified on Page 2 of the Initial Study. The proposed project was reviewed for consistency with policy and/or regulatory documents relating to the environment and appropriate land use (e.g., County Land Use Ordinance, Local Coastal Plan, etc.). Referrals were sent to outside agencies to review for policy consistencies (e.g., CDF for Fire Code, APCD for Clean Air Plan, etc.). The project was found to be consistent with these documents (refer also to Exhibit A on reference documents used).

The project is not within or adjacent to a Habitat Conservation Plan area. The project is consistent or compatible with the surrounding uses as summarized on page 2 of this Initial Study.

**Mitigation/Conclusion.** No inconsistencies were identified and therefore no additional measures above what will already be required was determined necessary.

**16. MANDATORY FINDINGS OF SIGNIFICANCE - Will the project:**

Potentially Significant

Impact can & will be mitigated

Insignificant Impact

Not Applicable

- |    |   |                          |                                     |                                     |                          |
|----|---|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| a) | <i>Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</i> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) | <i>Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)</i>  | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| c) | <i>Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</i>  | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

For further information on CEQA or the county's environmental review process, please visit the County's web site at "www.sloplanning.org" under "Environmental Review", or the California Environmental Resources Evaluation System at "http://ceres.ca.gov/topic/env\_law/ ceqa/ guidelines/" for information about the California Environmental Quality Act.

**Exhibit A - Initial Study References and Agency Contacts**

The County Planning or Environmental Division have contacted various agencies for their comments on the proposed project. With respect to the subject application, the following have been contacted (marked with an ☒) and when a response was made, it is either attached or in the application file:

<b><u>Contacted</u></b>	<b><u>Agency</u></b>	<b><u>Response</u></b>
<input checked="" type="checkbox"/>	County Public Works Department	<b>Attached</b>
<input checked="" type="checkbox"/>	County Environmental Health Division	<b>Attached</b>
<input checked="" type="checkbox"/>	County Agricultural Commissioner's Office	<b>None</b>
<input type="checkbox"/>	County Airport Manager	<b>Not Applicable</b>
<input type="checkbox"/>	Airport Land Use Commission	<b>Not Applicable</b>
<input checked="" type="checkbox"/>	Air Pollution Control District	<b>Attached</b>
<input type="checkbox"/>	County Sheriff's Department	<b>Not Applicable</b>
<input checked="" type="checkbox"/>	Regional Water Quality Control Board	<b>None</b>
<input type="checkbox"/>	CA Coastal Commission	<b>Not Applicable</b>
<input type="checkbox"/>	CA Department of Fish and Game	<b>Not Applicable</b>
<input checked="" type="checkbox"/>	CA Department of Forestry	<b>Attached</b>
<input checked="" type="checkbox"/>	CA Department of Transportation	<b>None</b>
<input checked="" type="checkbox"/>	Nipomo Community Service District	<b>None</b>
<input checked="" type="checkbox"/>	Other <u>Nipomo Community Advisory Council</u>	<b>In File**</b>
<input checked="" type="checkbox"/>	Other <u>County Parks</u>	<b>Attached</b>

**\*\* "No comment" or "No concerns"-type responses are usually not attached**

The following checked ("☒") reference materials have been used in the environmental review for the proposed project and are hereby incorporated by reference into the Initial Study. The following information is available at the County Planning and Building Department.

<input checked="" type="checkbox"/> Project File for the Subject Application	<input checked="" type="checkbox"/> South County (Inland) Area Plan and Update EIR
<u>County documents</u>	<input checked="" type="checkbox"/> South County Circulation Study
<input type="checkbox"/> Airport Land Use Plans	<u>Other documents</u>
<input checked="" type="checkbox"/> Annual Resource Summary Report	<input checked="" type="checkbox"/> Archaeological Resources Map
<input type="checkbox"/> Building and Construction Ordinance	<input checked="" type="checkbox"/> Area of Critical Concerns Map
<input type="checkbox"/> Coastal Policies	<input checked="" type="checkbox"/> Areas of Special Biological Importance Map
<input checked="" type="checkbox"/> Framework for Planning (Coastal & Inland)	<input checked="" type="checkbox"/> California Natural Species Diversity Database
<input checked="" type="checkbox"/> General Plan (Inland & Coastal), including all maps & elements; more pertinent elements considered include:	<input checked="" type="checkbox"/> Clean Air Plan
<input checked="" type="checkbox"/> Agriculture & Open Space Element	<input checked="" type="checkbox"/> Fire Hazard Severity Map
<input checked="" type="checkbox"/> Energy Element	<input checked="" type="checkbox"/> Flood Hazard Maps
<input checked="" type="checkbox"/> Environment Plan (Conservation, Historic and Esthetic Elements)	<input checked="" type="checkbox"/> Natural Resources Conservation Service Soil Survey for SLO County
<input checked="" type="checkbox"/> Housing Element	<input checked="" type="checkbox"/> Regional Transportation Plan
<input checked="" type="checkbox"/> Noise Element	<input checked="" type="checkbox"/> Uniform Fire Code
<input type="checkbox"/> Parks & Recreation Element	<input checked="" type="checkbox"/> Water Quality Control Plan (Central Coast Basin – Region 3)
<input checked="" type="checkbox"/> Safety Element	<input checked="" type="checkbox"/> GIS mapping layers (e.g., habitat, streams, contours, etc.)
<input checked="" type="checkbox"/> Land Use Ordinance	<input type="checkbox"/> Other _____
<input checked="" type="checkbox"/> Real Property Division Ordinance	
<input checked="" type="checkbox"/> Trails Plan	
<input type="checkbox"/> Solid Waste Management Plan	

In addition, the following project specific information and/or reference materials have been considered as a part of the Initial Study:

***"Phase One Arch . . ." Singer, December 5, 2001.***

***"Geotechnical Investigation . . ." GSI Soils Inc, November 23, 2004.***



## Exhibit B - Mitigation Summary Table

### Air Quality

**AQ-1 Prior to issuance of construction permits**, the following measures shall be incorporated into the construction phase of the project and shown on all applicable plans:

- a. Reduce the amount of the disturbed area where possible.
- b. Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible.
- c. All dirt stock-pile areas should be sprayed daily as needed.
- d. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible.
- e. Building pads should be laid as soon as possible after grading unless seeding or soil binders are used.

**AQ-2 Prior to issuance of building permits, in the instance wood burning stoves are proposed**, the applicant shall submit building plans showing the use of APCD-approved wood burning devices limited to the following:

- a. All EPA-Certified Phase II wood burning devices;
- b. Catalytic wood burning devices that emit less than or equal to 4.1 grams per hour of particulate matter that are not EPA-Certified but have been verified by a nationally-recognized testing lab;
- c. Non-catalytic wood burning devices that limit less than or equal to 7.5 grams per hour of particulate matter that are not EPA-Certified but have been verified by a nationally-recognized testing lab;
- d. Pellet-fueled woodheaters, and;
- f. Dedicated gas-fired fireplaces.

**AQ-3 Prior to demolition of any existing structures, utilities, or pipelines**, the applicant shall comply with the regulations set forth in the National Emission Standard for Hazardous Air Pollutants. These requirements include, but are not limited to: 1) notification requirements to the Air Pollution Control District, 2) asbestos survey conducted by a Certified Asbestos Contractor, and 3) applicable removal and disposal requirements of identified asbestos containing material.

### Recreation

**R-1 Prior to recordation of the final map**, the applicant agrees to pay the "in-lieu" fee that will be used for community park and recreational purposes as required by Chapter 21.09 of the Real Property Division Ordinance. The fee shall be based on the total number of new parcels or remainder parcels that do not already have legal residential units on them.

### Traffic

**T-1 Prior to issuance of construction permits**, the applicant shall pay applicable South County Road Improvement fees.

**T-2 Prior to map recordation** the applicant agrees to construct road improvements as required

by the Department of Public Works. Utilities shall be underground. Drainage plan will be included with improvement plans when submitted for review.

### **Wastewater**

**WW-1 Prior to recordation of the final map**, the applicant shall submit a final “will-serve” letter from the Nipomo Community Services District to the Department of Environmental Health.

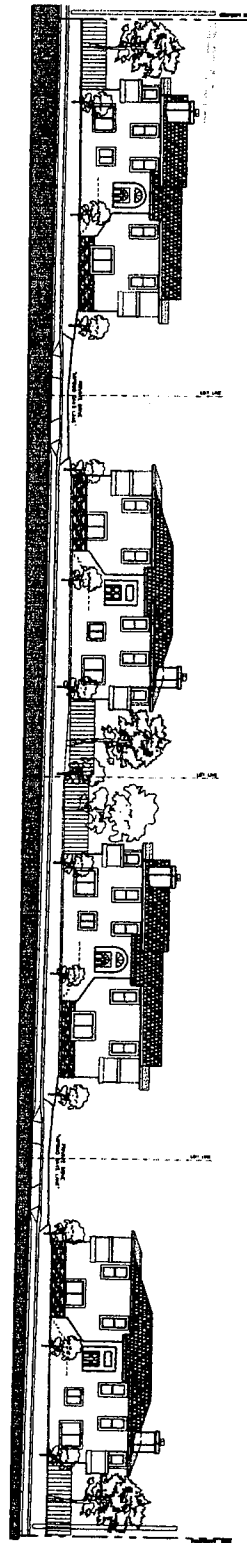
### **Water**

**W-1 Prior to issuance of building permits**, construction plans shall include indoor water conservation measures including: low water-use toilets, showerheads, and faucets; automatic shut-off devices for bathroom and kitchen faucets; and point-of-use supplemental water heater systems or circulating hot water systems in bathrooms and kitchen. Landscape plans for the proposed parcels must include outdoor conservation measures including: limited landscape area, low water-use plant materials, limited turf area, soil moisture sensors, and drip irrigation systems.

**W-2 Prior to final inspection**, for structures where the pipe from the hot water heater to any faucet is greater than 20 feet in length, apply one or more of the following: 1) install a hot water pipe circulating system for entire structure; 2) install “point-of-use” water heater “boosters” near all hot water faucets (that are greater than 20 linear pipe feet from water heater), or 3) use the narrowest pipe possible (e.g., from 1" to ½" diameter). **Prior to permit issuance**, the measure(s) to be used shall be shown on all applicable plumbing plans.

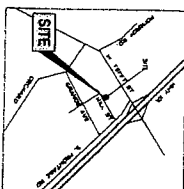
**W-3 Prior to recordation of the final map**, the applicant shall submit a final “will-serve” letter from the Nipomo Community Services District to the Environmental Health Division.

**NIPOMO OAKS**  
A 24-LOT PLANNED UNIT DEVELOPMENT  
NIPOMO, CALIFORNIA



CONCEPTUAL EXTERIOR ELEVATIONS AS VIEWED FROM HILL STREET  
N.T.S

### PROJECT DESCRIPTION

[illegible]

### VICINITY MAP

**SHEET INDEX**

SHEET INDEX	
7-1	TITLE SHEET, SHEET ELEVATION, AND SHEET INDEX
A-1	TRUSS SECTION, PLATE, MODULUS, CHARACTERISTICS
A-2	TRUSS SECTION, PLATE, MODULUS, CHARACTERISTICS
A-3	PLATE "A" - LEFT ELEVATION, PLATE, STUDS 1/2
A-4	PLATE "B" - LEFT ELEVATION, PLATE, STUDS 1/2
A-5	PLATE "C" - RIGHT ELEVATION, PLATE, STUDS 1/2
A-6	PLATE "D" - RIGHT ELEVATION, PLATE, STUDS 1/2
A-7	PLATE "E" - RIGHT ELEVATION, PLATE, STUDS 1/2
A-8	PLATE "F" - RIGHT ELEVATION, PLATE, STUDS 1/2
TOTAL NUMBER OF SHEETS: 9	

DATE \_\_\_\_\_ OF \_\_\_\_\_

# T.1

### SAFETY MATTER:

ISSUED/REVISED:  
PLANNED APPROVAL

DATE:	
中 英 文	

SHEET TITLE:  
TITLE SHEET  
CONCEPTUAL "HILL STREET" ELEVATION  
PROJECT DESCRIPTION  
SHEET INDEX

These drawings (dated 12.7.2006) have been prepared for planning department review and approval and as such should not be considered final or completed at this time. Drawings to be used for planning department approval only and are not to be treated as construction drawings or building permit submittals.

PROJECT TITLE:  
NIPOMO OAKS - PLANNED UNIT DEVELOPMENT  
24 UNIT RESIDENTIAL  
HILL STREET, NIPOMO CALIFORNIA

PROJECT OWNER:  
NIPOMO OAKS HOMES, a General Partnership  
P.O. BOX 15747  
SAN LUIS OBISPO, CA 93408  
Attn: Mr. CARY GEHNS & JAMES BEDNAR  
805.773.4600 or 805.341.6600

Drawing scenes as indicated or for reference only and are not intended to accurately depict actual or designed conditions. Station dimensions shall govern.

**COMMITTEE**

**DeVtec**  
development  
flexible electronics  
General Electronic Systems  
11001 E. 15th St., Suite 100  
Denver, CO 80231  
Tel: 303.755.1000  
Fax: 303.755.1001  
www.devtect.com

This is a detailed plat map of a residential subdivision. The map shows 26 lots, each with a number and its area in square feet. The lots are arranged in a grid-like pattern, with some lots having specific dimensions. The map includes a north arrow and a graphic scale. The streets shown are Hill Street and Oak Lane. The map also includes a 'REMAINDER' area and a 'PARK AREA'.

**Lot Details:**


Lot Number	Area (SF)	Dimensions (ft)
1	3,231 SF	78.37' x 42'
2	2,743 SF	78.37' x 35'
3	2,900 SF	78.37' x 37'
4	2,743 SF	78.37' x 35'
5	3,507 SF	78.37' x 44.75'
6	2,900 SF	78.37' x 35'
7	2,743 SF	78.37' x 35'
8	2,940 SF	78.37' x 35'
9	2,900 SF	78.37' x 35'
10	2,900 SF	78.37' x 35'
11	2,743 SF	78.37' x 35'
12	2,900 SF	78.37' x 35'
13	2,900 SF	78.37' x 35'
14	2,743 SF	78.37' x 35'
15	2,900 SF	78.37' x 35'
16	3,231 SF	78.37' x 42'
17	2,743 SF	78.37' x 35'
18	2,900 SF	78.37' x 35'
19	2,743 SF	78.37' x 35'
20	3,507 SF	78.37' x 44.75'
21	2,900 SF	78.37' x 35'
22	2,743 SF	78.37' x 35'
23	2,900 SF	78.37' x 35'
24	2,900 SF	78.37' x 35'
25	2,900 SF	78.37' x 35'
26	12,019 SF	156.75' x 75'

**Other Features:**

- REMAINDER:** 41,629 SF
- PARK AREA:** 4,702 SF
- STREETS:** Hill Street, Oak Lane
- GRAPHIC SCALE:** 1 inch = 30 ft
- North Arrow:** Points towards the top of the map.

[illegible]

GRAPHIC SCALE  
( IN FEET )  
1 inch = 30 ft.

A horizontal graphic scale bar with alternating black and white segments. It is marked with the numbers 0, 15, 30, and 60, representing feet. The bar is oriented vertically in the image.

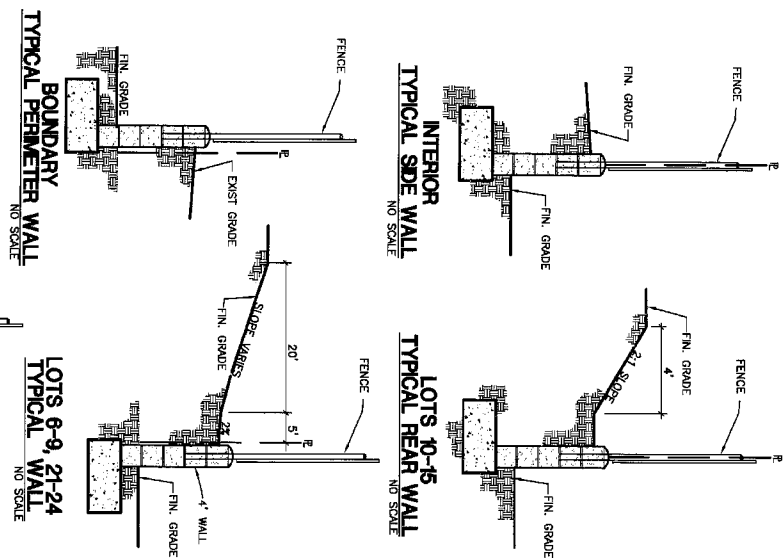
HILL STREET

[illegible]

SAN LUIS OBISPO, CALIFORNIA 93401  
 (805) 541-2394  
 FEBRUARY 2005 JOB NO. 05.007  
 SHEET 1 OF 1



GRAPHIC SCALE  
( IN FEET )  
1 inch = 30 ft



**CONCEPTUAL  
GRADING & DRAINAGE PLAN  
TRACT 2732**

PREPARED FOR:  
**NIPOMO OAKS**

BY:

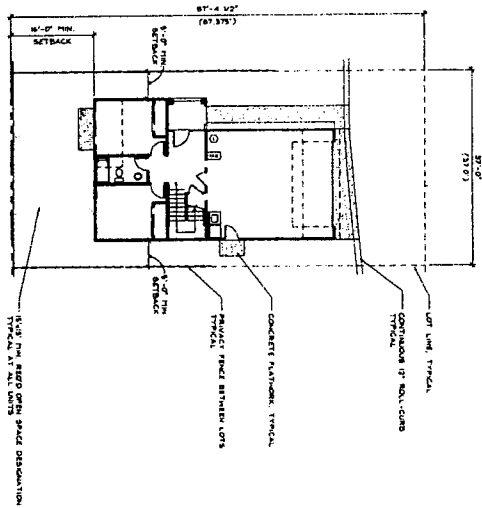
**WESTLAND AND ENGINEERING, INC.**

3480 S. HOLLISTER, SUITE 130  
SAN LUIS OBISPO, CALIFORNIA 93401  
(805) 541-2394

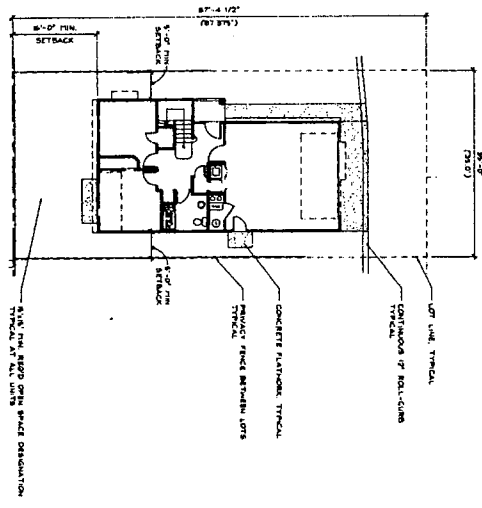
FEBRUARY 2005 JOB NO. 05.007

SHEET 1 OF 1

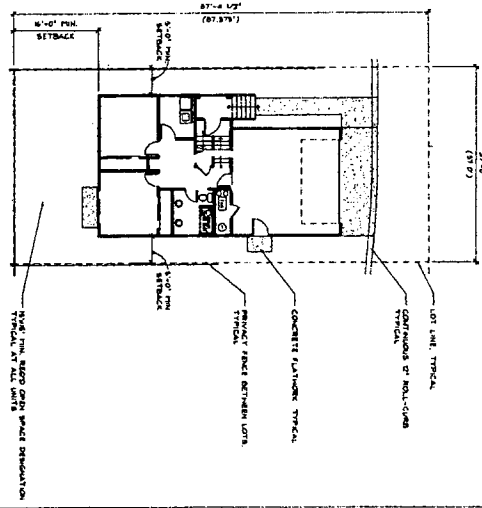
3-46



PLAN A - TYPICAL LOT COVERAGE  
SCALE: 3/32"=1'-0"

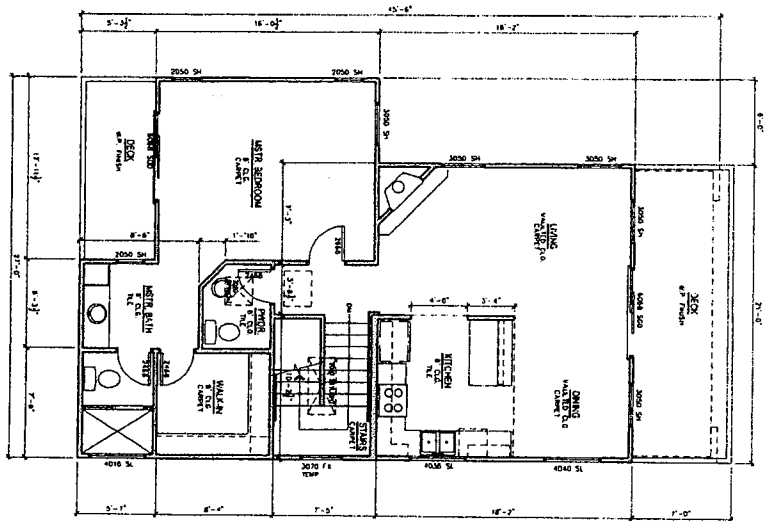


PLAN B - TYPICAL LOT COVERAGE  
SCALE: 3/32"=1'-0"

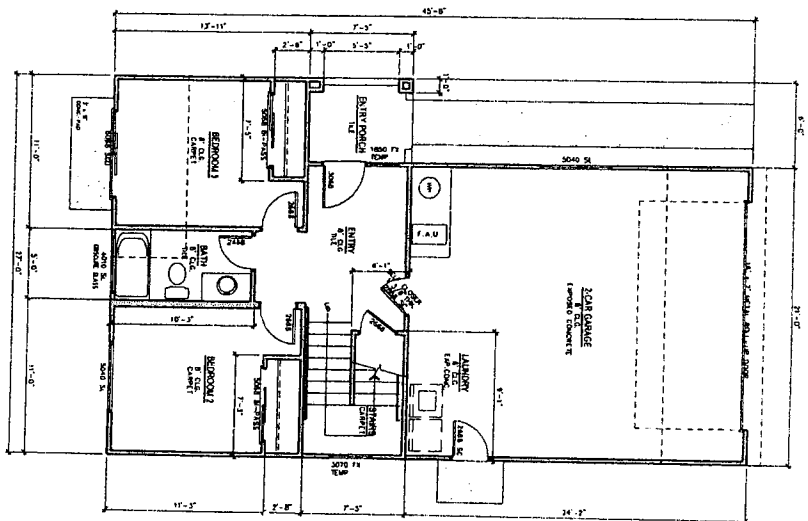


PLAN C - TYPICAL LOT COVERAGE  
SCALE: 3/32"=1'-0"

3-47



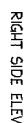
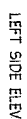
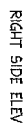
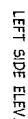
PLAN "A" - SECOND FLOOR  
SCALE: 1/4"=1'-0"



PLAN "A" - FIRST FLOOR  
SCALE: 1/4"=1'-0"

<p><b>A-3</b></p>	<p>DATE: 12/28/06</p>	<p><b>PROJECT TITLE:</b>          INPOMO OAKS - PLANNED UNIT DEVELOPMENT          24 UNIT RESIDENTIAL          HILL STREET, INPOMO, CALIFORNIA</p>	<p><b>PROJECT DESIGNER:</b>          INPOMO OAKS HOMES, a General Partnership          P.O. BOX 15747          SAN LUIS OBISPO, CA 95065          A/E: JIM CARY, GENE &amp; JAMES MEDNAR          805.773.6603 or 805.341.8880</p>	<p><b>PLANNING APPROVAL SUBMITTAL:</b></p>	<p><b>REVISIONS:</b></p>	<p><b>Devtec</b></p>
	<p>PLANNING APPROVAL SUBMITTAL</p>					

ORIGINAL SCALE IN INCHES FOR REDUCED PLANT



PLAN "A" - EXTERIOR ELEVATIONS - STYLE #1

SCALE: 1/8"=1'-0"

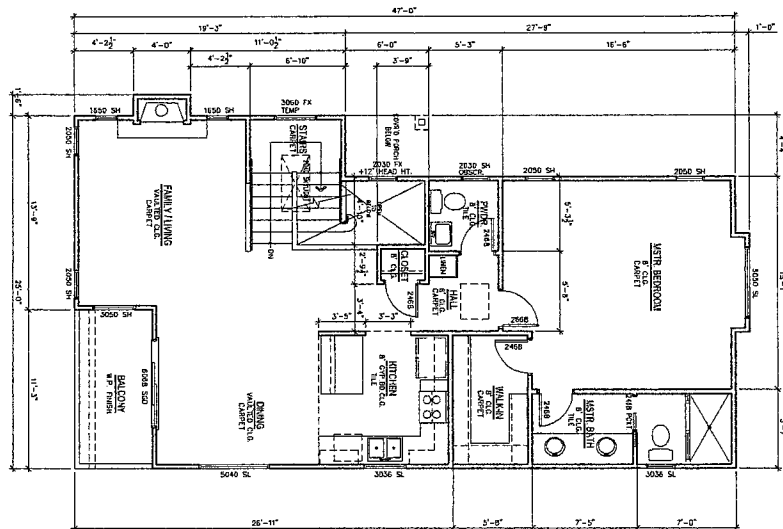
PLAN "A" - EXTERIOR ELEVATIONS - STYLE #2

SCALE: 1/8"=1'-0"

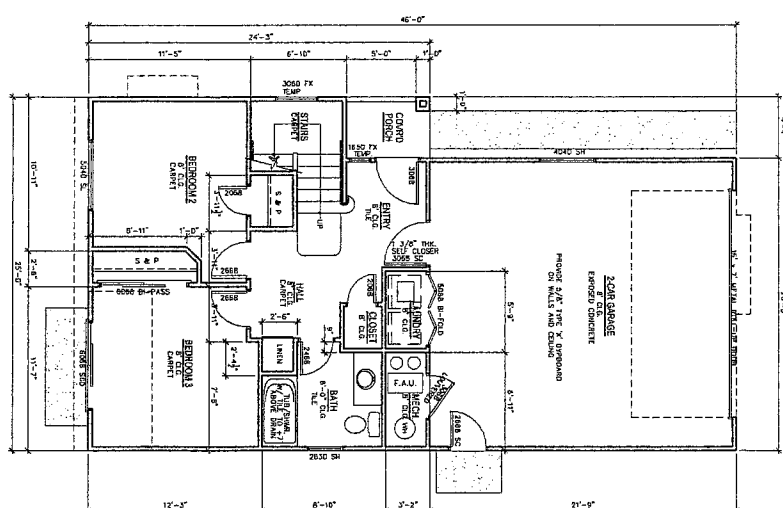
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3-49

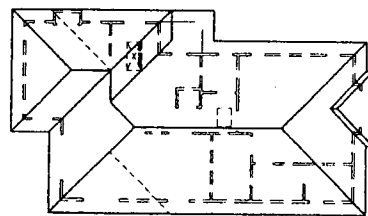


PLAN "B" - SECOND FLOOR  
SCALE: 1/4"=1'-0"

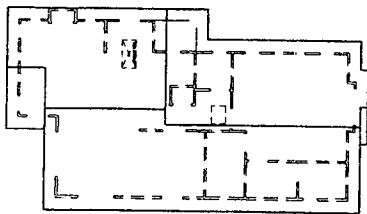


PLAN "B" - FIRST FLOOR  
SCALE: 1/4"=1'-0"

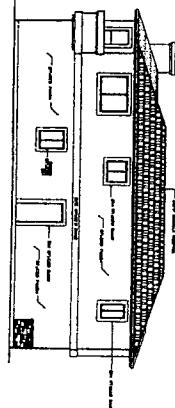
<b>A-5</b>	DATE: 02/05	<b>PROJECT TITLE:</b> NIPOMO OAKS - PLANNED UNIT DEVELOPMENT 24 UNIT RESIDENTIAL HILL STREET, NIPOMO, CALIFORNIA	<b>PROJECT OWNER:</b> NIPOMO OAKS - HOMES, a General Partnership P.O. BOX 15747 SAN LUIS OBISPO, CA 93406 Attn: MC CARY GEORGE & JAMES REIDMAR 805.773.4603 or 805.341.6680	<b>CONSULTANT:</b>	<b>PLANS PREPARED BY:</b> DEVTEC 1500 N. GATE AVENUE, SUITE 100 SAN LUIS OBISPO, CA 93406 TEL: 805.773.4603 FAX: 805.341.6680 www.devtec.com
	DESIGNED/REVISED: PLANNING APPROVAL SUBMITTAL				



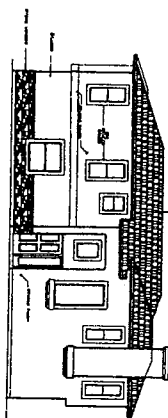
PLAN "B" - ROOF PLAN - STYLE #1  
SCALE: 1/8"=1'-0"



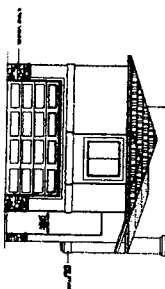
PLAN "B" - ROOF PLAN - STYLE #2  
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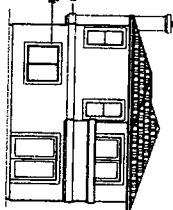
LEFT SIDE ELEV.



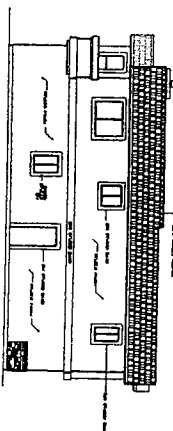
RIGHT SIDE ELEV.



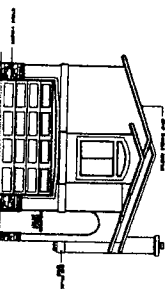
FRONT ELEV.



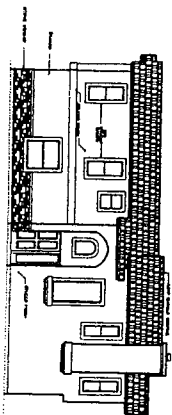
REAR ELEV.



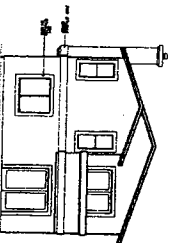
LEFT SIDE ELEV.



FRONT ELEV.



RIGHT SIDE ELEV.

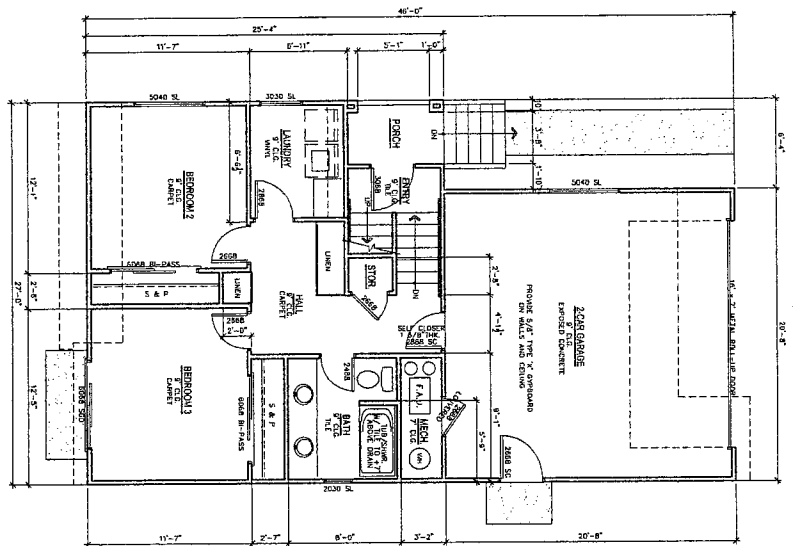
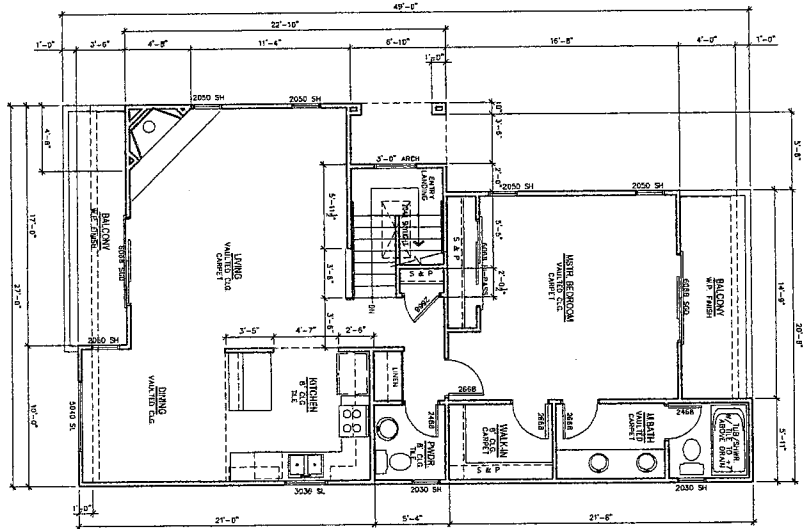


REAR ELEV.

PLAN "B" - EXTERIOR ELEVATIONS - STYLE #2  
SCALE: 1/8"=1'-0"

PLAN "B" - EXTERIOR ELEVATIONS - STYLE #1  
SCALE: 1/8"=1'-0"

<p><b>A-6</b></p>	<p>DATE: 01/20/2009</p> <p>DESIGNED BY: [Signature]</p> <p>CHECKED BY: [Signature]</p>	<p><b>SHEET TITLE</b></p> <p>PLAN TYPE "B"</p> <p>EXTERIOR ELEVATIONS - STYLES 1 &amp; 2</p> <p>ROOF PLANS - STYLES 1 &amp; 2</p>	<p><b>PROJECT TITLE</b></p> <p>MPOMO OAKS - PLANNED UNIT DEVELOPMENT</p> <p>24 UNIT RESIDENTIAL</p> <p>HILL STREET, MPOMO, CALIFORNIA</p>	<p><b>PROJECT OWNER</b></p> <p>MPOMO OAKS HOMES, a General Partnership</p> <p>P.O. BOX 15747</p> <p>SAN LUIS OBISPO, CA 93066</p> <p>ATTN: MR. CARY GREGG &amp; JAMES BEDNAR</p> <p>805.773.4600 or 805.341.5000</p>	<p><b>NOTES</b></p> <p>1. These drawings (dated 01/20/2009) have been prepared for the purpose of obtaining preliminary approval from the local planning department and are not to be used for construction purposes. All drawings are subject to change without notice. The client is responsible for obtaining all necessary permits and approvals. The drawings are not to be used for construction purposes without the written consent of the architect.</p>	<p><b>CONSULTANT</b></p>	<p><b>PLANS PREPARED BY</b></p> <p>DevTec</p> <p>1000 N. GATE AVENUE, SUITE 100</p> <p>SAN LUIS OBISPO, CA 93060</p> <p>TEL: 805.773.4600 FAX: 805.341.5000</p> <p>WWW.DEVTEC.COM</p>
	<p>DATE: 01/20/2009</p> <p>DESIGNED BY: [Signature]</p> <p>CHECKED BY: [Signature]</p>	<p><b>PROJECT OWNER</b></p> <p>MPOMO OAKS HOMES, a General Partnership</p> <p>P.O. BOX 15747</p> <p>SAN LUIS OBISPO, CA 93066</p> <p>ATTN: MR. CARY GREGG &amp; JAMES BEDNAR</p> <p>805.773.4600 or 805.341.5000</p>	<p><b>NOTES</b></p> <p>1. These drawings (dated 01/20/2009) have been prepared for the purpose of obtaining preliminary approval from the local planning department and are not to be used for construction purposes. All drawings are subject to change without notice. The client is responsible for obtaining all necessary permits and approvals. The drawings are not to be used for construction purposes without the written consent of the architect.</p>	<p><b>CONSULTANT</b></p>	<p><b>PLANS PREPARED BY</b></p> <p>DevTec</p> <p>1000 N. GATE AVENUE, SUITE 100</p> <p>SAN LUIS OBISPO, CA 93060</p> <p>TEL: 805.773.4600 FAX: 805.341.5000</p> <p>WWW.DEVTEC.COM</p>		



A-7

ISSUED/REVISED	DATE
PLANNING APPROVAL SUBMITTAL	03.10

**SHEET TITLE**  
PLAN TYPE 'C' - FLOOR PLANS

These drawings (dated 03/10/2009) have been prepared for planning department review and approval and as such should not be considered final or completed at this time. Drawings to be used for planning department approval only and are not to be taken as construction drawings or building permit applications.

**PROJECT TITLE**  
NIPOMO OAKS - PLANNED UNIT DEVELOPMENT  
24 UNIT RESIDENTIAL  
HILL STREET, NIPOMO, CALIFORNIA

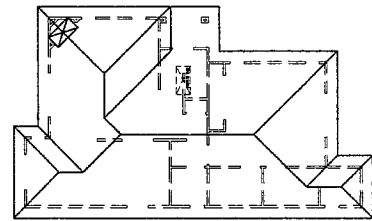
**PROJECT OWNER**  
NIPOMO OAKS HOMES, a General Partnership  
P.O. BOX 15747  
SAN LUIS OBISPO, CA 93408  
Attn: Mr. CARY GIBBS & JAMES BEDNAR  
805.773.4593 or 805.344.6860

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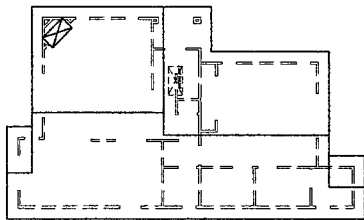
**CONSULTANT**

**PLANS PREPARED BY**  
Davis & Clark, Inc.  
1000 N. Highway 101, Suite 100  
San Luis Obispo, CA 93408  
(805) 773-4593

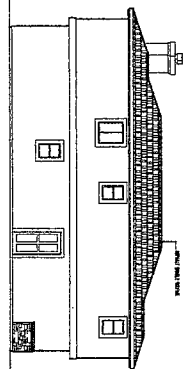
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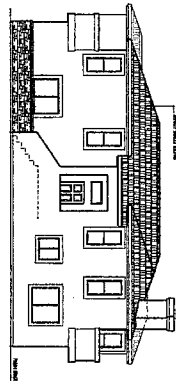
PLAN "C" - ROOF PLAN - STYLE #1  
SCALE: 1/8" = 1'-0"



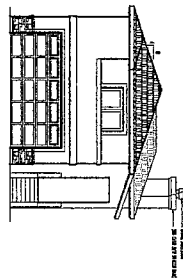
PLAN "C" - ROOF PLAN - STYLE #2  
SCALE: 1/8" = 1'-0"



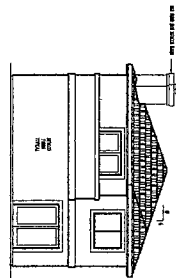
LEFT SIDE ELEV.



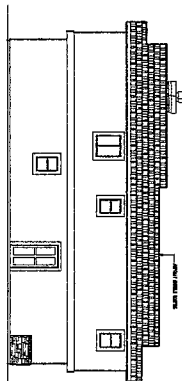
RIGHT SIDE ELEV.



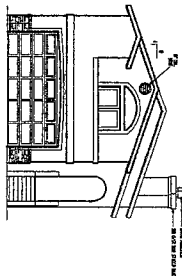
FRONT ELEV.



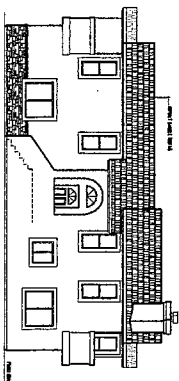
REAR ELEV.



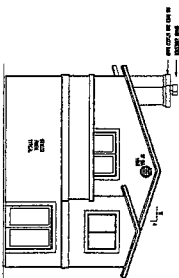
LEFT SIDE ELEV.



FRONT ELEV.



RIGHT SIDE ELEV.



REAR ELEV.

PLAN "C" - EXTERIOR ELEVATIONS - STYLE #1  
SCALE: 1/8" = 1'-0"

PLAN "C" - EXTERIOR ELEVATIONS - STYLE #2  
SCALE: 1/8" = 1'-0"

<p><b>A-8</b></p> <p>1/8" = 1'-0"</p>	<p>DATE: 02/05</p> <p>PLANNING APPROVAL SUBMITTAL</p>	<p>PROJECT TITLE:</p> <p>NIPOMO OAKS - PLANNED UNIT DEVELOPMENT</p> <p>24 UNIT RESIDENTIAL</p> <p>HILL STREET, NIPOMO CALIFORNIA</p>	<p>CONSULTANT:</p>	<p>PLANS PREPARED BY:</p> <p>DEVILTEC</p> <p>ARCHITECTS</p> <p>1000 J STREET, SUITE 100</p> <p>NIPOMO, CA 93450</p> <p>TEL: (805) 773-4600</p> <p>FAX: (805) 773-4601</p> <p>WWW.DEVILTEC.COM</p>
	<p>PROJECT OWNER:</p> <p>NIPOMO OAKS HOMES, a General Partnership</p> <p>P.O. BOX 15747</p> <p>SAN LUIS OBISPO, CA 93406</p> <p>ATTN: MR. CAROL GIBBS &amp; JAMES BEDNAR</p> <p>805.773.4600 or 805.341.6800</p>			



3-53

SAN LUIS OBISPO COUNTY  
DEPARTMENT OF PLANNING AND BUILDING

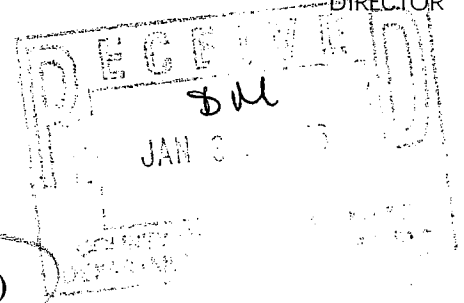
VICTOR HOLANDA, AICP  
DIRECTOR

~~To:~~ Dan Manion, Public Works *AM*

*to* From: Brian Pedrotti, Staff Planner *Co Planning*

Date: January 30, 2006

Re: Nipomo Oaks Tract Map/CUP (SUB2004-00324 (TR-2732))



Dan-

Please review the attached revised plans for the above-referenced project, and submit comments by February 10, 2006. Dale Ramey was originally consulted about the required dedication needed for Tanis. If you have any questions, please call or e-mail.

-Brian

*Recommend Approval  
conditions Attached,*

*TANIS Street Road Section Attached*

3-54



(B10)

SAN LUIS OBISPO COUNTY  
DEPARTMENT OF PLANNING AND BUILDING

APR 20 2005 VICTOR HOLANDA, AICP  
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE:

4/19/05

FROM

PW

FROM

South Co. Team

(Please direct response to the above)

Nipomo Oaks

TR 2732 -

SUB2004-00324

Project Name and Number

Development Review Section (Phone:

788-2009 )

\*OR ASK THE SWITCH-  
(BOARD FOR THE PLANNERS)

PROJECT DESCRIPTION:

Tract map w/ CUP. Tract 2732  
Located on 3 acres off Hill Street in Nipomo.  
APN-092-130-019. Located SW of Hwy. 101.

Return this letter with your comments attached no later than:

5/3/05

PART I

IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

☒ YES  
☐ NO

PART II

ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☒ NO  
☐ YES

(Please go on to Part III)

(Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter. )

PART III

INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE

RECOMMEND Approval - Stock conditions Attached

Need to add Janis Place along North Property Line.

17 May 2005  
Date

Goodwin  
Name

5252  
Phone



3-55

SAN LUIS OBISPO COUNTY  
DEPARTMENT OF PLANNING AND BUILDING

2005 APR 20 AM 10:42

VICTOR HOLANDA, AICP  
DIRECTOR

**THIS IS A NEW PROJECT REFERRAL**

DATE: 4/19/05  
TO: Parks (J. Dileo)  
FROM: South Co. Team  
(Please direct response to the above)

Nipomo Oaks  
TR 2732 -  
SUB 2004-00324  
Project Name and Number

Development Review Section (Phone: 788-2009) <sup>\*OR ASK THE SWITCH-BOARD FOR THE PLANNER</sup>

PROJECT DESCRIPTION: Tract map w/ CUP. Tract 2732  
Located on 3 acres off Hill Street in Nipomo.  
APN - 092-130-019. Located SW of Hwy. 101.

Return this letter with your comments attached no later than: 5/3/05

PART I IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?  
☒ YES  
☐ NO

PART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?  
☒ NO (Please go on to Part III)  
☐ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE

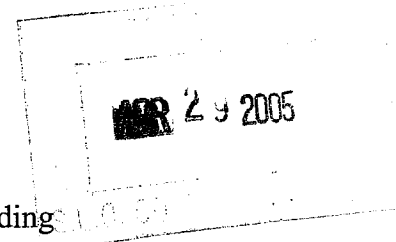
Requiere Quinby fees and applicable Building  
Division fees

06/06/05 JAN Dileo 4089  
Date Name Phone



**AIR POLLUTION  
CONTROL DISTRICT**  
COUNTY OF SAN LUIS OBISPO

3-56



DATE: April 28, 2005

TO: South County Tem  
San Luis Obispo County Department of Planning and Building

FROM: Melissa Guise *MAG*  
San Luis Obispo County Air Pollution Control District

SUBJECT: Nipomo Oaks (SUB 2004-00324)

Thank you for including the APCD in the environmental review process. We have completed our review of the proposed project located at 620 Hill Street in Nipomo. The project as proposed includes 42 parcels ranging from 2,418 square feet to 2,730 square feet, an open space park, parking and basin. We have the following comments regarding this project.

**GENERAL COMMENTS:**

As a commenting agency in the California Environmental Quality Act (CEQA) review process for a project, the APCD assesses air pollution impacts from both the construction and operational phases of a project, with separate significant thresholds for each. **Please address the action items contained in this letter that are highlighted by bold and underlined text.**

**SPECIFIC COMMENTS:**

**Construction Phase Mitigation:**

The project as described in the referral will not likely exceed the APCD's CEQA significance threshold for construction phase emissions. However, construction activities can generate fugitive dust, which could be a nuisance to local residents and businesses in close proximity to the proposed construction site. Dust complaints could result in a violation of the District's 402 "Nuisance" Rule. **APCD staff recommend the following measures be incorporated into the project to control dust:**

- Reduce the amount of the disturbed area where possible,
- Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible,
- All dirt stock-pile areas should be sprayed daily as needed,
- All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible, and
- Building pads should be laid as soon as possible after grading unless seeding or soil binders are used.

**Demolition and Renovation Activities** - Demolition activities can have potential negative air quality impacts, including issues surrounding proper handling, demolition, and disposal of asbestos containing material (ACM). Asbestos containing materials could be encountered during demolition or remodeling of existing buildings. Asbestos can also be found in utility



Nipomo Oaks  
April 28, 2005  
Page 2 of 4

pipes/pipelines (transite pipes or insulation on pipes). **If utility pipelines are scheduled for removal or relocation; or building(s) are removed or renovated this project may be subject to various regulatory jurisdictions, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M - asbestos NESHAP).** These requirements include but are not limited to: 1) notification requirements to the District, 2) asbestos survey conducted by a Certified Asbestos Inspector, and, 3) applicable removal and disposal requirements of identified ACM. Please contact Tim Fuhs of the Enforcement Division at 781-5912 for further information.

**Naturally Occurring Asbestos** - The project site is located in a candidate area for Naturally Occurring Asbestos (NOA), which has been identified as a toxic air contaminant by the California Air Resources Board (ARB). Under the ARB Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations, **prior to any grading activities at the site, the project proponent shall ensure that a geologic evaluation is conducted to determine if NOA is present within the area that will be disturbed. If NOA is not present, an exemption request must be filed with the District (see Attachment 1). If NOA is found at the site the applicant must comply with all requirements outlined in the Asbestos ATCM.** This may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program for approval by the APCD. Please refer to the APCD web page at <http://www.slocleanair.org/business/asbestos.asp> for more information or contact Karen Brooks of our Enforcement Division at 781-5912.

#### **Developmental Burning**

Effective February 25, 2000, **the District prohibited developmental burning of vegetative material within San Luis Obispo County.** Under certain circumstances where no technically feasible alternatives are available, limited developmental burning under restrictions may be allowed. This requires prior application, payment of fee based on the size of the project, District approval, and issuance of a burn permit by the District and the local fire department authority. The applicant is required to furnish the District with the study of technical feasibility (which includes costs and other constraints) at the time of application. If you have any questions regarding these requirements, contact Karen Brooks of our Enforcement Division at 781-5912.

#### **Permits**

**Portable equipment greater than 50 horsepower (hp) used during construction activities may require California statewide portable equipment registration (issued by the California Air Resources Board) or a District permit.** The following list is provided as a guide to equipment and operations that may have permitting requirements, but should not be viewed as exclusive.

Nipomo Oaks  
 April 28, 2005  
 Page 3 of 4

- Portable generators greater than 50 hp
- IC Engines
- Concrete batch plants
- Rock and pavement crushing
- Tub grinders
- Trommel screens

To minimize potential delays, prior to the start of the project, please contact David Dixon of the District's Engineering Division at (805) 781-5912 for specific information regarding permitting requirements.

#### **Operational Phase Mitigation:**

We would like to commend the applicant for proposing development within the urban reserve line and inclusion of a day care facility in the project design. The District supports higher density development within the urban core, as opposed to development at the urban fringe. This in-fill development makes walking, bicycling and public transportation more viable, decreasing dependence on driving and therefore reducing emissions from motor vehicles. This type of project is consistent with the goals and policies of the District.

District staff prepared a screening level air quality impact assessment for operation impacts from this project. Based on our analysis, the unmitigated project has the potential to exceed the District's Tier I CEQA significance threshold for operational phase emissions. **To reduce emissions to below the level of significance the project should incorporate into the project all applicable standard mitigation measures and 3 of the discretionary mitigation measures.**

#### **Standard Measures (include all applicable measures):**

- Link cul-de-sacs and dead-end streets to encourage pedestrian and bicycle travel;
- Traffic calming modifications to project roads, such as narrower streets, speed platforms, bulb-outs and intersection modifications designed to reduce vehicle speeds, thus encouraging pedestrian and bicycle travel;
- Easements or land dedications for bikeways and pedestrian walkways; and,
- Provide continuous sidewalks separated from the roadway by landscaping and on-street parking. Adequate lighting for sidewalks must be provided, along with crosswalks at intersections.

#### **Discretionary Mitigation Measures (include at least 3 measures):**

- If the project is located on an established transit route, improve public transit accessibility by providing transit turnouts with direct pedestrian access to project.
- Increased street tree planting.
- Outdoor electrical outlets to encourage the use of electric appliances and tools.
- Secure on-site bicycle parking for multi-family residential developments.
- Increase number of bicycle routes/lanes.

Nipomo Oaks  
April 28, 2005  
Page 4 of 4

- Build new homes with internal wiring/cabling that allows telecommuting, teleconferencing, and telelearning to occur simultaneously in at least three locations in each home.
- Provide pedestrian signalization and signage to improve pedestrian safety.
- Shade tree planting along southern exposures of buildings to reduce summer cooling needs.
- Use roof material with a solar reflectance value meeting the EPA/DOE Energy Star® rating to reduce summer cooling needs.
- Use high efficiency, gas or solar water heaters.
- Use built-in energy efficient appliances.
- Use double-paned windows.
- Use low energy street lights (i.e. sodium).
- Use energy efficient interior lighting.
- Use low energy traffic signals (i.e. light emitting diode).
- Install door sweeps and weather stripping if more efficient doors and windows are not available.
- Install high efficiency or gas space heating.

#### **Wood Burning Devices**

As you may be aware, under District Rule 504, **only District approved wood burning devices can be installed in new dwelling units.** District approved devices include:

- All EPA-Certified Phase II wood burning devices;
- Catalytic wood burning devices which emit less than or equal to 4.1 grams per hour of particulate matter which are not EPA-Certified but have been verified by a nationally-recognized testing lab;
- Non-catalytic wood burning devices which emit less than or equal to 7.5 grams per hour of particulate matter which are not EPA-Certified but have been verified by a nationally-recognized testing lab;
- Pellet-fueled woodheaters; and
- Dedicated gas-fired fireplaces.

If you have any questions about approved wood burning devices, please contact Tim Fuhs of our Enforcement Division at 781-5912.

Again, thank you for the opportunity to comment on this proposal. If you have any questions or comments feel free to contact me at 781-4667.

MAG/sll

cc: Tim Fuhs, SLOAPCD Enforcement Division  
Karen Brooks, SLOACD Enforcement Division  
David Dixon, SLOAPCD Engineering Division  
Nipomo Oaks, Cary Geihs

Attachment 1

h:\oisp\plan\response\3018.doc

3-60

**ATTACHMENT 1**

3-61

# Naturally Occurring Asbestos – Construction & Grading Project – Exemption Request Form

Send To:

Attachment 1

San Luis Obispo County Air  
Pollution Control District  
3433 Roberto Court  
San Luis Obispo, CA 93401

Fax: (805) 781-1002



Applicant Information/ Property Owner		Project Name	
Address		Project Address and /or Assessors Parcel Number	
City, State, Zip		City, State, Zip	
Phone Number	Date Submitted	Agent	Phone Number

The District may provide an exemption from Section 93105 of the California Code of Regulations - Asbestos Airborne Toxic Control Measure For Construction, Grading, Quarrying, And Surface Mining Operations for any property that has any portion of the area to be disturbed located in a geographic ultramafic rock unit; if a registered geologist has conducted a geologic evaluation of the property and determined that no serpentine or ultramafic rock is likely to be found in the area to be disturbed. Before an exemption can be granted, the owner/operator must provide a copy of a report detailing the geologic evaluation to the District for consideration. The District will approve or deny the exemption within 90 days. An outline of the required geological evaluation is provided in the District handout "ASBESTOS AIRBORNE TOXIC CONTROL MEASURES FOR CONSTRUCTION, GRADING, QUARRYING, AND SURFACE MINING OPERATIONS – Geological Evaluation Requirements".

## APPLICANT MUST SIGN BELOW

I request the San Luis Obispo Air Pollution Control District grant this project exemption from the requirements of the ATCM based on the attached geological evaluation.

Legal Declaration/Authorized Signature:

Date:

## OFFICE USE ONLY - APCD Required Element - Geological Evaluation

APCD Staff:		Intake Date:	OIS Tracking Number:
Approved	Not Approved	APCD Staff:	Date Reviewed:

Comments:



AIR POLLUTION  
CONTROL DISTRICT  
COUNTY OF SAN LUIS OBISPO

3-62

May 19, 2005

Cary Geihs  
Nipomo Oaks  
P.O. Box 15747  
San Luis Obispo, CA 93406

MAY 23 2005

SUBJECT: Naturally Occurring Asbestos ATCM – Geologic Exemption Request Granted for  
610 Hill Street Residential Project

Dear Mr. Geihs:

Thank you for your submittal for exemption from California Code of Regulations Section 93105 (Naturally Occurring Asbestos ATCM) dated May 13, 2005. After review of the documentation, the District agrees with the geological evaluation and grants Nipomo Oaks's request for exemption for the scope of evaluations at the 610 Hill Street Project.

*Expiration of the Geologic Exemption:* If Nipomo Oaks or its contractors subsequently discover any naturally occurring asbestos, serpentine, or ultramafic rock in the area to be disturbed, then:

1. Nipomo Oaks or operator must comply with the requirements of CCR 93105;
2. Nipomo Oaks or operator must report the discovery of the naturally-occurring asbestos, serpentine, or ultramafic rock to the APCO no later than the next business day; and
3. The exemption under CCR 93105 subsection (c) (1) shall expire and cease to be effective.

Based on the information provided, the initial grading portion of the project and certain other construction activities can potentially generate large quantities of nuisance dust. This fugitive dust could be a nuisance to local residents and businesses in close proximity to the proposed construction site. Dust complaints could result in a violation of the District's 402, Nuisance. The District strongly recommends the implementation of Best Management Practices for the control of potential off-site dust impacts.

If you have any questions, please contact me at (805) 781-5912.

Sincerely,

TIM FUHS  
Air Quality Specialist

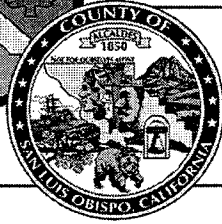
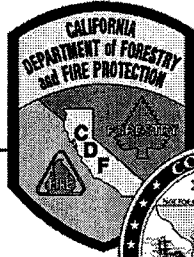
TJF/lmg

Enclosure

cc: Melissa Guise, APCD Planning Division  
Stepahnie Fuhs, San Luis Obispo County Planning Department

H:\ENFORCE\TIM\WORD\noa\constgrde\lrs\exempt\620hill.doc

3433 Roberto Court • San Luis Obispo, CA 93401 • 805-781-5912 • FAX: 805-781-1002  
info@slcleanair.org • www.slcleanair.org



## CDF/San Luis Obispo County Fire Department

635 N. Santa Rosa • San Luis Obispo • California 93405

May 18, 2005

County of San Luis Obispo  
Department of Planning and Building  
County Government Center  
San Luis Obispo, CA 93408

Subject: Parcel Map Project # Nipomo Oaks/SUB2004-00324

Dear South County Team,

I have reviewed the referral for the tract map plans for the proposed 42 parcel subdivision project located at 620 Hill St., Nipomo. This project is located approximately 5 minutes from the closest CDF/San Luis Obispo County Fire Station. The project is located in State Responsibility Area for wildland fires. It is designated a High Fire Severity Zone. This project is required to comply with all fire safety rules and regulations including the California Fire Code, the Public Resources Code and any standards referenced therein.

The following conditions will apply to this project:

### Access Road

An access road must be constructed to CDF/County Fire standards when it serves more than one parcel; access to any industrial or commercial occupancy, or vehicular access to a single parcel with more than two buildings or four or more dwelling units.

- The maximum length of a dead end road, including all dead-end roads accessed from that dead-end road, shall not exceed the following cumulative lengths, regardless of the number of parcels served:
 

○ Parcels less than 1 acres	800 feet
○ Parcels 1 acre to 4.99 acres	1320 feet
○ Parcels 5 acres to 19.99 acres	2640 feet
○ Parcels 20 acres or larger	5280 feet
- The road must be 18 feet in width and an all weather surface.
- If the road exceeds 12% it must have a non-skid paved surface.
- Roads may not exceed 16% without special mitigation and shall not exceed 20%.
- All roads must be able to support a 20 ton fire engine.

- Road must be named and addressed including existing buildings.
- A turnaround must be provided if the road exceeds 150 feet.
- Vertical clearance of 13'6" is required.

### Driveway

A driveway is permitted when it serves no more than two buildings, with no more than 3 dwelling units or a single parcel, and any number of accessory buildings.

- Driveway width for high and very high fire severity zones:
  - 0-49 feet, 10 feet is required
  - 50-199 feet, 12 feet is required
  - Greater than 200 feet, 16 feet is required
- Turnarounds must be provided if driveway exceeds 300 feet.

### Water Supply

The following applies:

☒ This project will require a community water system which meets the minimum requirements of the Appendix III-A & III-B of the California Fire Code.

☐ A water storage tank with a capacity determined by a factor of the cubic footage of the structure will be required to serve each existing and proposed structure. A residential fire connection must be located within 50 to 150 feet of the buildings.

### Fuel Modification

- Vegetation must be cleared 10 feet on each side of the driveways and access road.
- Maintain around all structures a 30 foot firebreak. This does not include fire resistive landscaping.
- Remove any part of a tree that is within 10 feet of a chimney.
- Maintain any tree adjacent to or overhanging any building free of deadwood.
- Maintain the roof of any structure free of leaves, needles or other flammable material.

If I can provide additional information or assistance, please call 543-4244.

Sincerely,



Gilbert R. Portillo

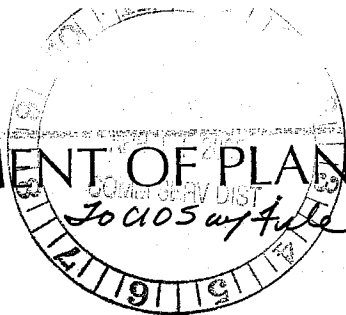
Fire Inspector

c: Nipomo Oaks





870



3-653

SAN LUIS OBISPO COUNTY  
DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP  
DIRECTOR

APR 29 2005

S.L.O. CO. PLANNING DEPT.

THIS IS A NEW PROJECT REFERRAL

DATE:

4/7/05

TO:

Oceano CSD

FROM:

South Co. Team

(Please direct response to the above)

Hunstad / CO 05-0044  
SUB 2004-00309  
Project Name and Number

Development Review Section (Phone:

788-2009 )

\*OR ASK THE SWITCH-  
(BOARD FOR THE PLANNING)

PROJECT DESCRIPTION:

Parcel Map - CO 05-0044. Located  
off Elm St. in Oceano. (N. of Hwy. 1) 1+ acre to  
be subdivided into 4 lots. (sizes ranging from 9,328  
SF to 11,792 SF. APN. 062-074-015

Return this letter with your comments attached no later than:

4/22/05

PART I

IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

X

YES

NO

PART II

ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF  
REVIEW?

NO (Please go on to Part III)

X

YES (Please describe impacts, along with recommended mitigation measures to  
reduce the impacts to less-than-significant levels, and attach to this letter. )

PART III

INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of  
approval you recommend to be incorporated into the project's approval, or state reasons for  
recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE

OFF-SITE WATER AND SEWER SYSTEM IMPROVEMENTS WILL BE REQUIRED.

WE RECOMMEND APPROVAL, UPON SATISFACTORY COMPLETION OF ALL REQUIREMENTS

AS STATED IN THE OCSD WILL SERVE LETTER.

4-26-05

Date

Name

Philip T. Davis

(805) 481-6730

Phone



BP  
SAN LUIS OBISPO COUNTY  
DEPARTMENT OF PLANNING AND BUILDING

APR 27 2005

3-6618  
VICTOR HOLANDA, AICP  
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE: 4/19/05  
TO: Pac. Bell  
FROM: South Co. Team  
(Please direct response to the above)

Nipomo Oaks  
TR 2732 -  
SUB2004-00324  
Project Name and Number

Development Review Section (Phone: 788-2009 ) \*OR ASK THE SWITCH-  
(BOARD FOR THE PLANNERS)

PROJECT DESCRIPTION: Tract map w/ CUP. Tract 2732  
Located on 3 acres off Hill Street in Nipomo.  
APN - 092-130-019. Located SW of Hwy. 101.

Return this letter with your comments attached no later than: 5/3/05

PART I IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?  
\_\_\_\_ YES  
\_\_\_\_ NO

PART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?  
\_\_\_\_ NO (Please go on to Part III)  
\_\_\_\_ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE

SRE WILL REQUIRE 10' PUE'S ALONG ALL FRONTAGE ROADS.

SRE WILL PROVIDE FACILITIES TO AND WITHIN THIS DEVELOPMENTS

IN ACCORDANCE WITH APPLICABLE CPAC TARIFFS

4/26/05  
Date

Manuel P. Reyes  
Name

546-7447  
Phone



Southern  
California  
Gas Company

A  Semptra Energy company

3-67

APR 27 2005

S.L.O. CO. PLANNING DEPT.

April 27, 2005

South Co. Team  
San Luis Obispo County  
Department of Planning and Building  
County Government Center  
San Luis Obispo, CA 93408

Southern California  
Gas Company

1171 More Ranch Rd  
Goleta, CA

**Subject: Tract 2732, APN-092-130-019  
Hill St W/o Hwy 101  
SoCalGasCo. Atlas Number SLO 8049-3**

*Mailing Address:*  
P. O. Box 818  
Goleta, CA  
93116-0818  
M.L.9360

*tel 805-681-8029  
fax 805-681-8018*

**The Gas Co. has no issues with serving this project.**

This letter is not to be interpreted as a contractual commitment to serve this proposed project, but only as an information service. Its intent is to notify you that Southern California Gas Company has adequate natural gas supply and facilities in the area where this project is proposed. This proposal **can** be serviced **without** significant impact on the environment from the existing **3" PE main in Grande St E/o Blume Ave.**

Service would be in accordance with our policies and extension rules on file with the California Public Utilities Commission at the time contractual arrangements are made. The availability of natural gas service, as set forth in this letter, is based on present conditions of gas supply and regulatory policies. As a public utility, Southern California Gas Company is under the jurisdiction of the California Public Utilities Commission. We can also be affected by actions of federal regulatory agencies. Should these agencies take any action, which affects gas supply, or the condition under which service is available, gas service will be provided in accordance with the revised conditions.

Please phone **Mr. Kevin Blasser, our New Business Project Manager at (818-700-3693)**, if you have any questions. It may require up to 90 days to process your application for the installation of gas lines in your project.

Sincerely,



Edward C. Hale  
Southern California Gas Company  
Technical Services, North Region

cc: K. Blasser NBPM, Santa Maria District.  
City Correspondence File



ATTN: JLU 8079-5  
TG 156-B3

3-6810

# SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP  
DIRECTOR

## THIS IS A NEW PROJECT REFERRAL

DATE: 4/19/05  
TO: So. Cal. Gas Co.  
FROM: South Co. Team  
(Please direct response to the above)

Nipomo Oaks  
TR 2732 -  
SUB2004-00324  
Project Name and Number

Development Review Section (Phone: 788-2009)

\*OR ASK THE SWITCH-  
(BOARD FOR THE PLANNED)

PROJECT DESCRIPTION: Tract map w/ CUP. Tract 2732  
Located on 3 acres off Hill Street in Nipomo.  
APN-092-130-019. Located SW of Hwy. 101.

Return this letter with your comments attached no later than: 5/3/05

**PART I** IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?  
✓ YES  
NO

**PART II** ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?  
✓ NO (Please go on to Part III)  
YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

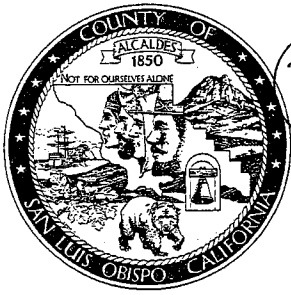
**PART III** INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE

Please See Attachment

4-27-05  
Date

Edward C. Hale  
Name

805-681-8029  
Phone



3-69  
County of San Luis Obispo • Public Health Department

Environmental Health Services

2156 Sierra Way • P.O. Box 1489  
San Luis Obispo, California 93406  
(805) 781-5544 • FAX (805) 781-4211

Gregory Thomas, M.D., M.P.H.  
County Health Officer  
Public Health Director

Curtis A. Batson, R.E.H.S.  
Director

April 18, 2005

Cary Geihs  
P.O. Box 15747  
San Luis Obispo, CA 93406

ATTN: CARY GEIHS  
RE: TENTATIVE TRACT MAP 2732 (GEIHS)

Water Supply and Wastewater Disposal

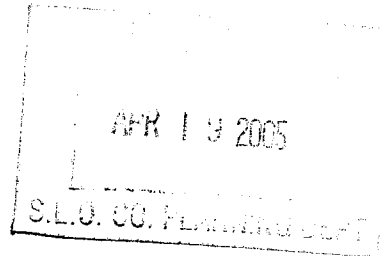
This office is in receipt of a **preliminary** will serve letter from the Nipomo Community Services District to provide water and sewer services to the above noted tract map. Be advised that a final will serve letter and a full size map will be required prior to final recordation. Water and sewer improvements shall be built to each parcel or a bond can be placed with the county to perform the work at a later date. The bond must be reviewed and approved prior to recordation of the map.

TRACT 2732 is approved for Health Agency subdivision map processing.

*Laurie A. Salo*

LAURIE A. SALO, R.E.H.S.  
Senior Environmental Health Specialist  
Land Use Section

c Kami Griffin, County Planning  
South County Team, County Planning  
NCSD  
Cary Geihs, Owner





EP

3.7018

SAN LUIS OBISPO COUNTY  
DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP  
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE: 4/19/05  
TO: Larry Kelly & Leonard Nipomo Oaks  
FROM: South Co. Team Mansell TR 2732 -  
(Please direct response to the above) SUB2004-00324  
Project Name and Number

Development Review Section (Phone: 788-2009) \*OR ASK THE SWITCH-BOARD FOR THE PLANNER

PROJECT DESCRIPTION: Tract map w/ CUP. Tract 2732  
Located on 3 acres off Hill Street in Nipomo.  
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PART I IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?  
☒ YES  
☐ NO

PART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?  
☒ NO (Please go on to Part III)  
☐ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE

Legal parcel per Certificate of Compliance C01-0502,  
Parcel #1. - copy attached.

Date 4-21-05 Name Jo Manson Phone x4667